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CIVIL DEPARTMENT—(*continued*).

CIVIL DEPARTMENT—(*continued*).

CIVIL DEPARTMENT—(*continued*).

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CIVIL DEPARTMENT—(*continued*).

Public Works Department.

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Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 1, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 27, 1890.

MILITARY DEPARTMENT.

Fort William, the 26th December 1890.

VOLUNTEER CORPS.

APPOINTMENT.

No. 1148.—1*st Punjab Volunteer Rifle Corps*—

Mr. Henry Maude to be Captain, with effect from the 6th December 1890, *vice* Goulding, promoted.

A. R. BADCOCK,

for *Secretary to the Government of India.*

DIEU ET MON DROIT.
HONI SOIT QUI MAL Y PENSE

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 8, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 3, 1890.

HOME DEPARTMENT.

NOTIFICATION.—MEDICAL.

Calcutta, the 31st December 1890.

No. 836.—The services of Surgeon H. J. Dyson, Bengal Establishment, which were placed temporarily at the disposal of the Government of the Punjab by Home Department Notification No. 375, dated the 14th June 1888, are placed permanently at the disposal of that Government.

C. J. LYALL,

Secretary to the Government of India.

STAR OF INDIA.

NOTIFICATION.

Fort William, the 1st January 1891.

No. 1 *S. I.*

His Excellency the Grand Master of the Most Exalted Order of the Star of India is pleased to announce that Her Majesty the Queen and Empress of India has been graciously pleased to make the following appointments to the said Order :—

* * * * * * * * *

To be Companions.

* * * * * * * * *

SARDAR JIWAN SINGH of Shahzadpur in the Umballa District.

* * * * * * * * *

By Order of the Grand Master,

W. J. CUNINGHAM,

for *Secretary to the Most Exalted Order of the Star of India.*

INDIAN EMPIRE.

NOTIFICATION.

Fort William, the 1st January 1891.

No. 1 *I. E.*

His Excellency the Grand Master of the Most Eminent Order of the Indian Empire is pleased to announce that Her Majesty the Queen and Empress of India has been graciously pleased to make the following appointments to the said Order :—

* * * * * * * * *

To be Companions.

* * * * * * * * *

COLONEL LOUIS HENRY EMILE TUCKER, General List (Bengal) Infantry, Deputy Inspector-General of Police in the Punjab.

* * * * * * * * *

BRIGADE-SURGEON THOMAS EDWIN BURTON BROWN, M.D., Indian Medical Service, retired, lately Principal of the Lahore Medical College.

* * * * * * * * *

WALTER ROPER LAWRENCE, Esq., Bengal Civil Service, Settlement Officer in Kashmir and Jammu.

* * * * * * * * *

By Order of the Grand Master,
W. J. CUNINGHAM,
for *Secretary to the Most Eminent Order of the Indian Empire.*

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Fort William, the 1st January 1891.

No. 5 *I.*

His Excellency the Viceroy and Governor-General is pleased to confer upon Nawáb Azmat Ali Khán, Mandal, of the Karnál District in the Punjab, the title of Nawáb Bahádur as a personal distinction.

No. 11 *I.*

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Bahádur as a personal distinction upon :—

* * * * * * * *

Miyan Altáf Hossein, Extra Assistant Commissioner in the Punjab.

Malik Zamán Mehndi Khán, Janjuah, of Darapur in the district of Jhelum in the Punjab.

* * * * * * * *

No. 13 *I*.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Rái Bahádur as a personal distinction upon—

* * * * * * * *

Pandit Diwán Singh, late Deputy Collector in the Irrigation Department of the Punjab.

Bhái Mihán Singh, Honorary Magistrate of Lahore in the Punjáb.

* * * * * * * *

Lála Gokal Chand, Uncovenanted Civil Surgeon, Medical Department of the Government of the Punjab.

* * * * * * * *

No. 14 *I*.

His Excellency the Viceroy and Governor-General is pleased to confer upon Sardár Lehna Singh, Chimni, Honorary Magistrate in the district of Gujránwála in the Punjab, the title of Sardár Bahádur as a personal distinction.

No. 18 *I*.

His Excellency the Viceroy and Governor-General is pleased to confer upon Futteh Singh, of Guda in the district of Karnál in the Punjab, the title of Sardár as a personal distinction.

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 2nd January 1891.

LONDON GAZETTE.

No. 10.—The following extracts are published for general information :—

"London Gazette" dated the 28*th November* 1890, *pages* 6698 *and* 6699.

India Office, 28*th November* 1890.

The Queen has approved of commissions being conferred upon the undermentioned Senior Apothecaries of the Subordinate Medical Establishment in India, under the terms of the Royal Warrant of the 19th July 1890. Dated 19th July 1890, but to rank for purposes of precedence and other advantages attaching to corresponding Military rank from the dates given :—

BENGAL.

* * * * * * * *

Senior Apothecaries, First Grade, ranking as Honorary Lieutenants.

Robert Crossley, 12th June 1884.

* * * * * * * *

A. R. BADCOCK,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 15, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 10, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 9th January 1891.

No. 29.—In exercise of the powers conferred by section 27 of the Indian Arms Act, XI of 1878, the Governor-General in Council is pleased to substitute the following clauses for clauses (*c*) and (*d*) of Part III of Home Department Notification No. 518, dated the 6th March 1879:—

(*c*) All scheduled districts in the Lieutenant-Governorship of the Punjab, except the following tracts, namely :—

(1) so much of the Hazára district as in not included in the jagir of the Nawab of Amb, commonly known as Feudal Tanáwal, including the Phulera jagir,

(2) certain tracts and villages on the Hazára frontier specially notified by the Local Government,

(3) the Cis-Indus tahsils of the Bannu and Dera Ismail Khan districts, and

(4) Cantonments and Municipalities in the Bannu, Dera Ismail Khan, and Dera Ghâzi Khan districts,

from all prohibitions and directions contained in section 13 :

Provided, with respect to the Trans-Indus tahsils of the Bannu and Dera Ismail Khan districts, and to the Dera Ghâzi Khan district, that the operation of the Act is not hereby withdrawn as to—

(i) arms known as pistols and daggers, or

(ii) arms of any kind as regards the class of persons known as Trans-Border Pathans.

(*d*) All scheduled districts in the Lieutenant-Governorship of the Punjab, except the following tracts, namely :—

(1) so much of the Hazára district as is not included in the jagir of the Nawab of Amb, commonly known as Feudal Tanáwal, including the Phulera jagir, and

(2) certain tracts and villages on the Hazára frontier specially notified by the Local Government,

from all prohibitions and directions contained in section 14.

POLICE.

The 6th January 1891.

No. 4.—In supersession of Home Department Notification No. 217, dated the 12th April 1889, and with reference to Foreign Department Notification No. 4308 I., dated the 18th December 1890, the Governor-General in Council is pleased, in exercise of the power conferred by section 2, sub-sections (1) and (2), of the Police Act, III of 1888, and of all other powers enabling him in this behalf, to create a general police district embracing all the lands for the time being occupied by the Bombay, Baroda and Central India Railway, and by the Rajputana-Malwa Railway system (including the Holkar State Railway, the Sindhia-Neemuch State Railway, the Neemuch-Nasirabad State Railway, the Rajputana State Railway, the Western Rajputana State Railway, and the Rewari-Ferozepore State Railway, but excluding the Cawnpore-Achnera Railway), respectively, all lands occupied by stations, outbuildings and for other railway purposes being included, and to direct the enrolment under Act V of 1861 of a police force for service therein.

The Governor-General in Council is also pleased to appoint the Governor of Bombay in Council to discharge within the general police district aforesaid the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882, and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof.

ECCLESIASTICAL.

The 6th January 1891.

No. 8.—The Reverend T. C. Shepherd, a Junior Chaplain on the Bengal (Lahore) Ecclesiastical Establishment, to be Senior Chaplain, with effect from the 28th March 1890.

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.—(HORSE BREEDING AND AGRICULTURAL STOCK).

Calcutta, the 9th January 1891.

No. 65—12-3 *H. B., &c.*—First class Veterinary Surgeon J. C. Dwyer, Assistant Superintendent, Horse Breeding Department, Punjab, reverted to Military duty on the 9th December 1890. First class Veterinary Surgeon W. H. Kemp is appointed permanently to succeed him, but he will continue to officiate as Assistant Superintendent, Horse Breeding Department, North-Western Provinces and Oudh and Rajputana, until further orders.

E. C. BUCK,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Fort William, the 7th January 1891.

No. 71-*I*.—The Governor-General in Council is pleased to appoint the Commissioner of the Jullundur Division, for the time being, to exercise the powers of a Political Agent, under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, XXI of 1879, for the State of Kapurthala, with effect from the 1st December 1890.

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 9th January 1891.

PROMOTIONS.

No. 31.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

* * * * * * * *

Captains to be Majors—4th January 1891.

Henry Percy Poingdestre Leigh.

* * * * * * * *

A. R. BADCOCK,

for *Secretary to the Government of India*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 22, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 10TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th January 1891.

No. 7.—Lieutenant-Colonel J. F. J. Miller, S.C., Executive Engineer, 1st grade, Punjab, is permanently promoted to Superintending Engineer, 3rd class, with effect from the 16th November 1890.

J. G. FORBES, *Colonel, R. E.,*

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JANUARY 17TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—ESTABLISHMENTS.

Calcutta, the 15th January 1891.

No. 22.—The services of Mr. F. W. R. Fryer, C.S.I., Indian Civil Service, are replaced at the disposal of the Government of the Punjab, with effect from the date on which he may be relieved of his duties as Financial Commissioner of Burma.

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 16th January 1891.

PROMOTIONS.

No. 66.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

Lieutenants to be Captains. Dated 14th January 1891.

* * * * * * * *

Clement George Parsons.

A. R. BADCOCK,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 29, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 24TH, 1891.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

SEPARATE REVENUE.

STAMPS.

NON-JUDICIAL.

EXEMPTIONS AND REDUCTIONS UNDER THE ACT.

Calcutta, the 21st January 1891.

No. 259.—In exercise of the power conferred by Section 8 of the Indian Stamp Act, 1879, the Governor-General in Council is pleased to direct that, if any Company limited by shares which has paid the full stamp-duty chargeable on its share-warrants or the composition therefor, mentioned in Notification No. 1661, dated 14th November 1890, subsequently issues an addition to its subscribed capital, the share-warrants issued by such Company under Section 30 of the Indian Companies Act, 1882, with respect to such additional capital, shall be exempt from payment of the duty specified in Section 35 of the said Indian Companies Act, 1882, upon payment, as composition for that duty, to the Collector of Stamp Revenue, of ⅜ per centum of the additional capital so issued.

Public Works Department Notification No. 299, dated the 13th September 1880, in the *Gazette of India*, dated 18th September 1880, as modified by Public Works Department Resolution No. 789-R. T., dated the 2nd July 1887, published in the Supplement to the *Gazette of India*, dated 23rd July 1887, and by Public Works Department Notification No. 361, dated the 28th August 1890, published in the *Gazette of India* dated 30th August 1890, may be made applicable to the Delhi-Umballa-Kálka Railway from the date it shall be opened for the public carriage of passengers, animals or goods.

RESOLUTION.—With the exception of Section XVII, which refers to the working of a single line of railway on the system termed in Rule 3 of the said rules "Train Despatching," the Governor-General in Council is pleased to sanction the application to the Delhi-Umballa-Kálka Railway of the General Rules for Indian Railways which, with the modifications cited under the foregoing observations, have been applied to the East Indian Railway.

ORDER.—Ordered, that the General Rules which have already been published in the *Gazette of India*, dated 18th September 1880, be further notified to the railway servants and to the public by a copy thereof, as herein modified, being kept open to inspection free of any charge in the Office of the Station Master of every station on the said railway.

Ordered also, that this Resolution be communicated to the Consulting Engineer to the Government of India for Railways, Calcutta, for information and guidance, and that it be published under a Notification in Part I of the *Gazette of India*.

J. G. FORBES, *Colonel, R. E.*,
Secretary to the Government of India.

Documents accompanying.

Nil.

The 23rd January 1891.

No. 24.—The services of the undermentioned Royal Engineer Officers are placed temporarily at the disposal of the Military Department for Field Service :—

Captain H. E. S. Abbott, R. E., Executive Engineer, 3rd Grade, Punjab.

Captain R. S. Maclagan, R. E., Assistant Engineer, 1st Grade, Punjab.

J. G. FORBES, *Colonel, R. E.*,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JANUARY 31ST, 1891.

MILITARY DEPARTMENT.

Fort William, the 30th January 1891.

LONDON GAZETTE.

No. 101.—The following extracts are published for general information :—

Supplement to the "London Gazette" of the 30th December 1890, *dated the* 1st *January* 1891, *page* 26120.

* * * * * * * *

India Office, January 1, 1891.

The Queen has been graciously pleased to make the following appointments to the Most Eminent Order of the Indian Empire :—

* * * * * * * *

To be Companions.

* * * * * * * *

Lieutenant-Colonel Louis Henry Emile Tucker, Bengal Infantry, Deputy Inspector-General of Police in the Punjab.

* * * * * * * *

Brigade-Surgeon Thomas Edwin Burton Brown, M. D.

* * * * * * * *

A. R. BADCOCK,
for Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 12, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JANUARY 31ST, 1891.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT,—CIVIL WORKS.

Irrigation.

REVENUE REPORT OF IRRIGATION WORKS IN THE PUNJAB FOR 1889-90.

No. 14 I., Calcutta, the 21st January 1891.

RESOLUTION—By the Government of India, Public Works Department.

Read—

Letter No. 6329 I., dated 28th November 1890, from the Government of the Punjab, forwarding the Revenue Report of Irrigation Works in the Punjab for 1889-90, and Resolution by that Government reviewing the report.

OBSERVATIONS.—The Canals in operation in the Punjab are twelve in number, as stated in the Review of the Irrigation Revenue Report for 1888-89. One of them is classed as a Protective work, and the Capital outlay on it is met under Account head 35; six are classed as Major Works on which the Capital outlay is not charged against Revenue, being

met under Account head 49; while the remaining five are classed as Minor Works, the Capital outlay being charged against Revenue and met under Account head 43. One of the latter, the Muzaffargarh system of Canals, has, however, no Capital account. In addition to the above works in operation, the Sirsa Branch of the Western Jumna Canal was under construction, and the Jhelum Canal project is in abeyance. Both of these are classed under 49.

2. The following statement shows the Capital outlay on each class of works during and up to the end of the year :—

	Number of Works.	During the year 1889-90.							Total direct and indirect to end of 1889-90.
		Works.	Establishment.	Tools and Plant.	Suspense Account.	Total direct charges.	Indirect charges.	Total direct and indirect charges.	
	1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
MAJOR WORKS.									
Protective Irrigation Works (Account head 35) ...	1	51,960	11,945	47	1,704	65,656	1,700	67,356	35,71,579
Irrigation Works not charged against Revenue (Account head 49)	8	6,69,859	1,77,231	26,517	1,83,666	10,57,273	34,822	10,92,095	5,65,36,281
MINOR WORKS AND NAVIGATION.								a	
Works of which Capital and Revenue accounts are kept (Account head 43) ...	4	302	69	...	57	428	10	438	18,61,412
TOTAL ...	13	7,22,121	1,89,245	26,564	1,85,427	11,23,357	36,532	11,59,889	6,19,69,272

3. The principal outlay was again incurred on the Chenab Canal, on which it amounted to Rs. 3,79,161 for works; the excavation of the Rakh and Háfizabad Lower Branches being proceeded with and progress made with the major and minor distributaries. During the year, the Secretary of State's sanction was received to the revised estimate for this canal, amounting to Rs. 1,03,74,951. This amount includes the original sanction of Rs. 30,59,474, and provides in addition for the construction of a weir and the head works required to convert the canal from an inundation into a perennial canal. The new work was put in hand immediately on receipt of the sanction, and expenditure was incurred on account of a railway for the transport of material, and on the under-sluices, regulator, and necessary buildings.

On the Sirhind Canal the outlay was Rs. 51,183 from Imperial, and Rs. 24,017 from contributions by Native States. Eighty-three miles were added to the distributaries on the Bhatinda Branch.

Rupees 55,201 were spent on the Bári Doáb Canal, Rs. 57,793 on the Western Jumna Canal, and Rs. 51,960 on the Swat River Canal, chiefly on account of small works.

The Capital outlay on Minor Works was limited to Rs. 302 on the Upper Sutlej Inundation Canal.

4. On the works not in operation, there was an expenditure on works of Rs. 64,575 from Imperial, and of Rs. 21,184 from Contributions on account of the Sirsa Branch of the Western Jumna Canal. The expenditure on this branch is not for the present incorporated with that on the main project. There was also a small outlay on works of Rs. 1,739 on account of the Jhelum Canal.

5. The following statement shows the mileage of main canal and distributaries sanctioned and in operation :—

	Sanctioned.		Completed.	
	Miles of Canals.	Miles of Distributaries.	Miles of Canals.	Miles of Distributaries.
Major Works.				
Protective Irrigation Works (Account head 35) ...	22	129	22	126
Irrigation Works not charged against Revenue (Account head 49).	1,350	5,332	1,164	4,793
Minor Works.				
Of which Capital and Revenue Accounts are kept (Account head 43)	1,782	180	1,781	155

Of the total length of main canal 432 miles are navigable.

6. The actual financial results of the year for the twelve canals in operation were as follows, the Native States portion of the Sirhind Canal being excluded.

The Irrigation Revenue includes the rabi collections of 1888-89 and the kharíf collections of 1889-90:—

Canal.	Total direct and indirect Capital outlay to end of year.	Gross Revenue collected.			Working Expenses.			Net Revenue.	Percentage of net Revenue on Capital Outlay.
		Irrigation Revenue.*	Miscellaneous Receipts.	Total.	Direct.	Indirect.	Total.		
1	2	3	4	5	6	7	8	9	10
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Major Works.									
(35) Protective Irrigation Works— Swat River Canal...	35,71,579	2,46,238	2,726	2,48,964	91,759	7,898	99,657	1,49,307	4·18
(49) Irrigation Works not charged against Revenue—									
Western Jumna ...	1,11,20,864	10,60,785	1,13,617	11,74,402	4,75,044	32,949	5,07,984	6,66,418	5·99
Bári Doáb ...	1,64,06,476	17,02,249	1,18,425	18,20,674	5,69,079	39,777	6,08,856	12 11,818	7·38
Sirhind	2,35,63,278	12,54,720	83,918	13,38,638	6,03,514	37,701	6,41,215	6,97,423	2·96
Chenab	37,83,838	76,238	864	77,102	98,218	4,297	1,02,515	— 25,413	...
Lower Sohág and Pára ...	6,70,413	82,210	743	82,953	57,824	5,036	62,860	20,093	2·99
Sidhnai	8,41,079	2,23,349	715	2,24,064	85,362	5,666	91,028	1,33,036	15·82
Total of Major Works, 1889-90 ...	5,99,57,527	46,45,789	3,21,008	49,66,797	19,80,800	1,33,315	21,14,115	28,52,682	4·76
Total for 1888-89 ...	5,89,48,409	40,42,515	3,22,479	43,64,994	18,54,104	1,18,883	19,72,987	23,92,007	4·05
Minor Works.									
(43) Works of which Capital and Revenue Accounts are kept—									
Upper Sutlej ...	5,77,632	1,73,922	4,692	1,78,614	1,13,262	8,978	1,22.240	56,374	9·76
Lower Sutlej and Chenab ...	1,10,102	3,22.855	2,38,327	5,61,182	3,10,805	10,467	3,21.272	2,39,910	217·89
Indus Inundation ..	7,08,791	1,55,690	83,191	2,38,881	2,31,227	11,757	2,42,984	— 4,103	...
Shahpur Inundation	40,739	42,312	1,078	43,390	21,435	630	22,065	21,325	52·84
Total of Minor Works, 1889-90 ...	14,37,264	6,94,779	3,27,288	10,22,067	6,76,729	31,832	7,08,561	3,13,506	21·81
Total for 1888-89 ...	18,60,974	6,87,992	3,65,878	10,53,870	7,57,666	34,503	7,92.169	2,61,701	†14·06
Works of which only Revenue Accounts are kept—									
Muzaffargarh, 1889-90	...	2,56,861	99,737	3,56,598	1,65,240	6,932	1,72,172	1,84,426	...
" 1888-89	...	2,52,798	1,41,996	3,94,794	1,99,906	6,047	2,05,953	1,88,841	...
Grand Total, 1889-90	6,13,94,791	55,97,429	7,48,033	63,45,462	28,22,769	1,72,079	29,94,848	33,50,614	‡5·46
" 1888-89	6,08,09,383	49,83,305	8,30,353	58,13,658	28,11,676	1,59,433	29,71,109	28,42,549	‡4·37

*Refunds deducted from Revenue.

†This percentage of net Revenue on Capital outlay includes Madhopur Workshops.

‡These percentages of net Revenue on Capital outlay do not include Muzaffargarh Canals.

7. The returns from the Major Works are extremely satisfactory, their aggregate gross revenue showing an increase of six lakhs over the figures for the previous year. All the canals share in the improved return, and it is noticed that the Swat River Canal, the satisfactory returns from which were commented upon in last year's review, has now paid more than its annual interest charges within five years of the commencement of irrigation, although constructed merely as a Protective Work.

The Minor Works show in the aggregate a small decrease in gross revenue compared with the figures for 1888-89, but the early cessation of the monsoon in August was unfavourable to the Inundation Canals.

The working expenses for the Major Works show an increase of Rs. 1,41,128 over the figures for the previous year. This is attributed partly to the smaller Capital outlay which threw a larger proportion of the charges for establishment on to Revenue account, also to an increase in collection and measuring charges on account of the larger area irrigated, and to the increasing requirements of the new canals as the irrigation projects develop.

8. The interest charges on Capital outlay for the year, excluding those for the Sirsa Branch of the Western Jumna Canal, and the Jhelum Canal, amount to Rs. 22,72,655. There was therefore a net surplus of revenue, after allowing for these charges, of Rs. 5,80,027 against Rs. 1,64,313 in 1888-89. The interest account up to the close of the year shows a net balance in favour of the canals of Rs. 1,98,33,207.

9. The following statement exhibits the revenue assessed for the year. This includes the *rabi* assessment for the year under review, which is not collected, however, till the following year, so that a comparison between the assessment and the figures in paragraph 6 showing collections is not possible:—

Canal.	Area Irrigated.		Assessment, 1889-90.						Assessment, 1888-89.	Rate per acre irrigated.	
	1889-90.	1888-89.	Water rates.	Occupiers' rates.	Owners' rates.	Share of land revenue.	Water advantage rates.	Gross assessed revenue, excluding miscellaneous.		1889-90.	1888-89.
1	2	3	4	5	6	7	8	9	10	11	12
	Acres.	Acres.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Swat River	91,195	107,910	2,27,646	...	..	...	...	2,27,646	2,70,222	2·50	2·50
Western Jumna	419,968	290,802	...	9,95,100	3,15,516	47,364	...	13 57,980	10,56,512	3·23	3·63
Bári Doáb	523,409	519,226	...	13,06,892	...	...	4,33,675	17,40,567	17,37,571	3 32	3·34
Sirhind	488,981	476,650	15,15,514	...	...	...	...	15,15,514	13,12,184	3·10	2·75
Chenab	39,308	47,644	...	80,951	...	...	...	80,951	75,360	2·06	1·58
Lower Sohág and Pára ...	63,223	61,986	78,115	...	...	...	...	78,115	65,836	1·23	1·06
Sidhnai	109,082	108,885	1,80,639	...	...	...	...	1,80,639	2,13,902	1 65	1·95
Upper Sutlej	147,775	139,754	...	21,240	...	1,39,796	20,664	1,81,700	1,70,557	1·23	1·22
Lower Sutlej and Chenab ...	374,494	349,508	...	173	...	3,22,713	...	3,22,886	3,19,148	0·83	0·91
Indus	214,544	201,781	...	...	...	1,55,698	...	1,55,698	1,56,007	0 73	0 77
Sháhpur	18,535	20,157	42,070	...	...	...	...	42,070	42,035	2·27	2·08
Muzaffargarh	306,658	289,827	...	...	...	2,56,861	...	2,56,861	2,52,926	0·84	0·87
Total ...	2,797,172	2,614,130	20,43,984	24,04,356	3,15,516	9,22,432	4,54,339	61,40,627	56,71,360	2·19	2·17

10. The area irrigated shows an increase of 183,042 acres over the figures for 1888-89, which were previously the largest on record. The increase may be largely attributed to the long drought from the beginning of September to the beginning of March, with the almost entire failure of the winter rains, which caused a largely increased demand for water from the perennial canals for the rabi crop. The increase is most marked in the case of the Western Jumna Canal, which shows a growth in irrigated area of no less than 129,166 acres over the figures for 1888-89.

The increase in the average assessment per acre in the case of the Chenab Canal is due to the smaller area of new irrigation which pays a lower assessment.

The areas of kharíf and rabi crop for the year under review were as follows :—

	Kharíf.	Rabi.
	Acres.	Acres.
Perennial Canals	544,978	1,017,883
Inundation Canals	704,514	529,797
Total	1,249,492	1,547,680

11. The areas of the principal crops cultivated during the last two years compare as follows :—

Principal Crops.

	1889-90.	1888-89.
	Acres.	Acres.
Sugarcane	54,236	71,561
Rice	184,781	165,837
Jowár	169,085	171,939
Maize	101,031	122,392
Wheat	1,023,321	935,510
Cotton	240,640	215,688

Maize cultivation which in 1887-88 showed a remarkable increase has declined somewhat, but the area under this crop was still nearly three times as large as in 1885-86 and 1886-87. Sugarcane cultivation has declined from the high figures reached in the two previous years. The most marked advance is in the case of the wheat crop, the area cultivated being the largest on record.

The value of the crops irrigated is estimated at 814 lakhs.

12. In the following table the irrigating duty of each cubic foot of water per second is given for the perennial canals. The duty is based on the average discharge during the days the canals were in flow :—

Canal.	Maximum discharge as designed.	Maximum discharge during year.	Average discharged at head.		Acres irrigated per cubic feet of average discharge.	
			Kharif.	*Rabi.*		
	Cubic feet per second	Cubic feet per second.	Cubic feet per second.		Kharif.	Rabi.
1	2	3	4	5	6	7
Swat River	700	648	472	534	51	126
Western Jumna	2,800	3,200	2,370	2.330	78	101
Bári Doáb	3,000	3,836	3,593	1,862	58	169
Sirhind	3,840*	3,678	2,305	2,839	43	137
Chenab	2,350	590	245	282	112	42

* Excluding Native States Branches.

The abnormally high kharíf duty, in the case of the Chenab Canal, is due to the failure of the supply towards the end of the season. The low rabi duty on the same canal was occasioned by there having been a supply of water in excess of the demand on the completion of the river bund.

13. The working of the Native States branches of the Sirhind Canal is again described in considerable detail in the report. As was shown in paragraph 12 of the review of the Report for 1888-89, the water-supply available is not utilised in the Native States to nearly the same effect as on the British branches, and though there was a slight improvement in this respect in 1889-90, the disproportion is still very noticeable. The three States compare as follows :—

State.	Area actually irrigated.	Percentage of area irrigable according to British standard.
	Acres.	
Patiála	131,841	57
Nábha	10,001	41
Jínd	10,593	51

14. The following statement exhibits the working of these branches :—

STATE.	Capital outlay.	Gross revenue, less refunds.	Working expenses.	Water-rates assessed.	Area irrigated.	Water-rate per acre.	Working expenses per acre.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Acres.	Rs.	Rs.
Patiála	1,11,11,751	3,40,014	3,67.537	4,20,258	131,841	3·19	2·78
Nábha	11,69,658	43,427	48,423	37,462	10,001	3·74	4·84
Jínd	10,10,159	40,564	38,500	37,022	10,593	3·49	3·63
TOTAL ...	1,32,91,568	4,24,005	4,54,460	4,94,742	152,435	3·25	2·98

15. The distributaries on the Western Jumna Canal, which have been made over to the Jínd State, have done much better work, and the area irrigated from them during the year is greater than that for which the distributaries were designed.

16. The following statement gives the details of the working expenses of the various canals :—

	CANALS.	1889-90. Works.	Establishment.	Tools and Plant.	Indirect charges.	TOTAL.	1888-89. TOTAL.
	1	2	3	4	5	6	7
	MAJOR WORKS.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Perennial	(35) Protective Irrigation Works— Swat River Canal ...	33,617	56,411	1,731	7,898	99,657	94,657
	(49) Irrigation Works not charged against Revenue—						
	Western Jumna Canal ...	2,36,351	2,34,576	4,117	32,940	5,07,984	4,98,529
	Bári Doáb Canal ...	2,78,557	2,83,059	7,463	39.777	6,08,856	6,01.007
	Sirhind Canal (British portion).	3,27,801	2,69,291	6,422	37,701	6,41,215	5,66,604
	Chenab Canal ...	66,606	30,690	922	4,297	1,02,515	81,841
	Lower Sohág and Pára Canal.	21,790	35,972	62	5,036	62,860	54,254
	Sidhnai Canal ...	44,079	40,473	810	5,666	91,028	76,095
	MINOR WORKS.						
Inundation	(43) Works for which Capital and Revenue Accounts are kept—						
	Upper Sutlej Canals ...	53,755	58,431	1,076	8,978	1,22,240	1,19.774
	Lower Sutlej and Chenab Canals.	2,32,158	74,764	3,883	10,467	3,21,272	3,82,185
	Indus Canals ...	1,46,298	83.981	948	11.757	2,42,984	2,57,907
	Shahpur Canals ...	16,140	4,497	798	630	22,065	32,333
	Works for which only Revenue Accounts are kept—						
	Muzaffargarh Canals ...	1,14,325	49,517	1,398	6,932	1,72,172	2,05,953
	TOTAL ...	15,71,477	12,21,662	29,630	1,72,079	29,94,848	29,71,109
	Per acre irrigated ...	...	...	...	...	1·07	1·13

The cause of the increase in Establishment charges has already been referred to in paragraph 7. There has been, in the aggregate, a very small increase in working expenses, while the gross revenue has increased over five lakhs, a result that may be considered extremely satisfactory.

17. The details of the charge for establishment are as follows:—

	Rs.	Percentage of total.
Direction	2,04,236	16·72
Executive	6,56,322	53·72
Medical	9,971	0·82
Revenue, including collection fees	3,50,746	28·71
Navigation	387	0·03
TOTAL ...	12,21,662	

18. The principal works executed on Revenue Account were:—On the Western Jumna Canal, the repair of training works damaged by floods; on the Bári Doáb Canal, the excavation of a leading channel in the Ravi river at Khámwál, the construction of further protective works on the Chakki torrent, and the repair of flood damages; on the Sirhind Canal, the completion of the alteration of the shutters on Rúpar weir, and laying a tramway along the weir crest. On the Lower Sutlej and Chenab Canals expenditure was incurred on surveys for the improvement of the canals.

	Receipts.	Expenditure.
	Rs.	Rs.
Western Jumna ...	63,672	7,414
Sirhind	13,684	10,896

19. The navigation receipts and expenditure on the only two canals that are navigable were as marginally noted.

The navigation receipts on the Western Jumna Canal include Rs. 57,969 from raft traffic, against Rs. 41,686 in 1888-89, and the increase referred to in paragraph 17 of last year's review as likely to result from a modification of the rates for railway sleepers has been fully realised. The quantity of goods carried on both canals was 109,401 tons, valued at Rs. 41,72,751.

20. The Miscellaneous Receipts in the statement in paragraph 6 include, in the case of the Lower Sutlej and Chenab, and the Muzaffargarh Inundation Canals, the value of the statute labour contributed under the "Chher" system and the contributions from the "Zar-i-nagha" Fund. These amounts are also included among the working expenses. The "Chher" labour is contributed towards the annual clearances, and the "Zar-i-nagha" Fund is formed by fines levied on absent Chher labourers. In the case of the former canal, 650,994 labourers were called out, of whom 502,360 were present, the value of the labour being Rs. 1,84,064. On the Muzaffargarh Canal, 507,374 were called out, and 466,803 were present, the value of the labour being Rs. 79,150. The balances of the Zar-i-nagha Fund amounted to Rs. 64,624 and Rs. 40,220 respectively.

21. The net demand on account of water-rate during the year, including an unrealised balance at the commencement of the year of Rs. 94,555, and deducting remissions, was Rs. 40,97,732. Of this, Rs. 40,29,517 were realised, leaving Rs. 68,215 unrealised at the close of the year.

22. The report was received by the Government of India on 1st December, which is a month earlier than that for the previous year. It has been, as usual, admirably prepared, and it is noticed with satisfaction that the suggestions of the Government of India in paragraph 19 of last year's review, towards curtailing the length of the report by the elimination of superfluous matter, have received attention. The report under review is 117 pages long, against 136 pages in the Report for 1888-89. The report has also been improved by the addition of diagrams showing graphically the areas irrigated under both crops in successive years.

23. In the concluding paragraph of the Resolution of the Punjab Government on the report the Lieutenant-Governor comments on the satisfactory working of the Irrigation Department in the Province during the year under review, and observes that the report contains evidence of excellent work by officers of all grades. Much of the credit for the results achieved are attributed by His Honor to the Chief Engineer for Irrigation, Colonel F. J. Home, R. E. The Government of India cordially endorses this commendation. The report contains ample evidence that the rapid development of irrigation in the Punjab is being conducted on intelligent and satisfactory lines, and is bearing fruit in the increasing prosperity of the Province and of its inhabitants.

ORDER.—Ordered, that copies of this Review and of the Report, and the Resolution by the Punjab Government, be forwarded to the Finance and Commerce and the Revenue and Agricultural Departments for information.

Ordered also, that copies of the Review be forwarded to the Government of the Punjab for information and guidance, and that copies of this Review, and of the Report and Resolution by the Punjab Government, be forwarded to the Local Governments and Administrations in the Public Works Department noted in the margin, for information.

The Governments of Madras, Bombay, Bengal, and the North-Western Provinces and Oudh, in the Public Works Department.
The Chief Commissioners of the Central Provinces, Burma and Coorg.
The Residents at Hyderabad and Mysore.
The Agents to the Governor-General in Central India and Rájpútána.

Ordered further, that this Review and the Resolution by the Local Government be published in the Supplement to the *Gazette of India*, and that copies of this Review and of the Report be forwarded to Her Majesty's Secretary of State for India.

C. VINCENT,
Under-Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 7TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

EXAMINATIONS.

Calcutta, the 5th February 1891.

No. 8.—In continuation of Home Department Notification No. 2429, dated the 19th December 1889, the following revised Rule is substituted, with the approval of Her Majesty's Secretary of State for India, for Rule 7 of the Regulations under which a limited number of Members of the Indian Civil Service are permitted to present themselves for examination in the Russian language while on furlough :—

7. On starting for Russia he may be granted an advance of pay not exceeding 35 days' furlough pay and also not exceeding £100. Such advance will only be granted to an officer who draws his furlough pay from the India Office, and will be recovered in instalments spread over eight months after his arrival in Russia.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 6th February 1891.

LONDON GAZETTE.

No. 125.—The following extracts are published for general information :—

"London Gazette," dated 13th January 1891, *pages* 225, 227 *and* 228.

India Office, 13th January 1891.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Military Forces, and admissions to the Staff Corps, made by the Governments in India :—

BENGAL MEDICAL ESTABLISHMENT.

Surgeons to be Surgeons-Major.

Dated 30th September 1890.

* * * * * * * *

Charles James Bamber.
Malachi O'Dwyer.

A. R. BADCOCK,
for *Secretary to the Government of India.*

ORDER.—Ordered, that copies of this Review and of the Report, and the ... be forwarded to the Finance and Commerce ... and Agricultural Departments for information.

Ordered also, that copies of the Review be forwarded to the Government of the Punjab for information and guidance, and that copies of this Review, and of the Report and Results of the Punjab Government, be forwarded to the Local Governments and Administrations in the Public Works Department noted in the margin, for information.

Ordered further, that this Review and the Resolution by the Local Government be published in the *Gazette of India*, and that copies of this Review and of the Report be forwarded to Her Majesty's Secretary of State for India.

C. J. LYALL,
Offg. Secretary to the Government of India.

FROM THE GAZETTE OF INDIA, DATED FEBRUARY 14th, 1891.

HOME DEPARTMENT.

NOTIFICATION.

EXAMINATION.

Calcutta, the 6th February 1891.

... Notification of Home Department Notification No. ... dated ... 1891 ...

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 6th February 1891.

INDIAN ARMY.

... *Gazette*, dated ... January 1891, pages ...

India Office, 16th January 1891.

The Queen has approved of the following promotions among the officers of the ... Corps, made by the ...

...

...

A. R. BADCOCK,
Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 19, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 7TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 3rd February 1891.

No. 35.—The undermentioned gentlemen are appointed to the Superior Accounts Branch as Apprentice Examiners of Accounts, on probation, and are posted to the Offices noted :—

Mr. C. Newman to the Office of Examiner of Accounts, Punjab.

*   *   *   *   *   *   *

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 14TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—JUDICIAL.

Calcutta, the 11th February 1891.

No. 189.—In exercise of the power conferred by Section 35-A (1) of the Births, Deaths and Marriages Registration Act, VI of 1886, as amended by Act XVI of 1890, the Governor-General in Council is pleased to appoint the undermentioned persons to be Commissioners for the purpose of examining and verifying the registers or records which have already been, or may hereafter be, sent under Section 32 of the Act to the Registrar-General of Births, Deaths and Marriages for the Punjab :—

The Registrar-General of Births, Deaths and Marriages for the Punjab.

Mr. W. O. Clark, Indian Civil Service.

ECCLESIASTICAL.

The 13th February 1891.

No. 53.—The services of the Reverend C. Swynnerton, Chaplain of Hazára, are placed temporarily at the disposal of the Military Department for duty with the Hazára Field Force.

C. J. LYALL,
Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS, &c.

MINT.

Calcutta, the 13th February 1891.

No. 664.—1. In exercise of the power conferred by section 16 of the Indian Coinage Act, 1870, and in supersession of Financial Notifications No. 57, dated 5th January 1883, and No. 521, dated 29th January 1889, the Governor-General in Council is pleased to authorise the undermentioned officers to cut or break silver coin under that section :—

> *Extract from Act No. XXIII of 1870—India.*
>
> Cutting certain silver coin.
>
> 16. When any silver coin purporting to be coined and issued under the authority of the Government of India is tendered to any officer authorised by the Governor-General in Council or the Local Government to act under this section, who has reason to believe it to have lost, by reasonable wearing, more than two per cent. in weight,
> or to be counterfeit,
> or to have been reduced in weight otherwise than by reasonable wearing,
> or to be called in by any proclamation,
> he may, by himself or another
> (subjects to the rules which the Governor-General in Council prescribes in this behalf),
> cut or break such coin,

(1) Every officer in charge of a District Treasury.

(2) Every Assistant Collector, Deputy Collector, Assistant Commissioner, or Extra Assistant Commissioner in charge of a Sub-Treasury.

(3) Every Commissioner, Deputy Commissioner and Assistant Commissioner of the Department of Paper Currency.

(4) The Mint Masters, Calcutta and Bombay.

(5) The Collectors of Customs at Calcutta and Chittagong.

(6) The Judges of the Courts of Small Causes at Calcutta and Sealdah.

(7) The Secretary and Treasurer of each of the Presidency Banks, and every Agent in charge of a branch of any of the said Banks.

(8) The Secretary, Manager, or other principal officer of the several offices and agencies in India of each of the following Banks :—

Agra Bank, Limited ; Aliance Bank of Simla, Limited ; Chartered Mercantile Bank of India, London, and China ; Chartered Bank of India, Australia, and China ; Comptoir National d'Escompte de Paris ; Delhi and London Bank, Limited ; Hong Kong and Shanghai Banking Corporation ; National Bank of India, Limited ; New Oriental Bank Corporation, Limited.

(9) The Chairman, Vice-Chairman and Secretary of—

the Commissioners for the Port of Calcutta, the Trustees of the Port of Bombay, the Trustees of the Harbour of Madras, the Trustees of the Port of Karachi, and the Commissioners for the Port of Rangoon; and

(10) The Chairman, Vice-Chairman and Secretary of the Municipal Corporation of Calcutta; the Municipal Commissioner and the Deputy Municipal Commissioner for the City of Bombay and the Secretary of the Municipal Corporation of the City of Bombay; and the President, Vice-Presidents and Secretary of the Municipal Commissioners for the City of Madras.

2. And in exercise of the powers conferred by clauses (4) and (10) of section 28 of the same Act, the Governor-General in Council is pleased to prescribe the following rules :—

Counterfeit or fraudulently reduced silver coin.

(1) When any silver coin purporting to be coined and issued under the authority of the Government of India is tendered to any officer authorised, by paragraph 1 of this Notification or by any order of a Local Government, to act under section 16 of the Indian Coinage Act, 1870, and the officer has reason to believe it to be counterfeit, or to have been reduced in weight otherwise than by reasonable wearing, he shall cut or break such coin, and, under section 17 of the said Act, return the pieces to the person tendering the coin.

Silver coin called in by proclamation.

(2) When any silver coin purporting to be coined and issued before 1st September 1835, under the authority of the Government of India, is tendered to any such officer, he shall cut or break such coin, and, at the option of the person tendering the coin, return to him the pieces, or retain them and give credit for them at the rate of one rupee per tola (that is, 180 grains troy weight).

Rupee or half-rupee reduced by reasonable wearing.

(3) When any rupee or half-rupee purporting to be coined and issued under the authority of the Government of India on or after the 1st September 1835 is tendered to any such officer who has reason to believe it to have lost by reasonable wearing more than 2 per cent. in weight, he shall receive such rupee or half-rupee at its full nominal value, but shall immediately cut or break it.

Quarter or eighth rupee reduced by reasonable wearing.

(4) A uqarter-rupee or an eighth of a rupee issued by the Government of India should, when tendered to such an officer, be accepted under section 13 of the Act as legal tender for a fraction of a rupee, even though it may have lost, by reasonable wearing, more than 2 per cent. in weight ; such a coin should not be withdrawn from circulation, unless, by reason of the obliteration of the device upon it, or for any other reason, it appears to be unfit for circulation, in which case it shall not be cut or broken, but shall be dealt with under rule (8) or rule (9), as the case may be.

Extract from Act No. XXIII of 1870—India.

Rupees and half-rupees a legal tender.

13. The said rupee and half rupee shall be a legal tender in payment or on account: Provided that the coin has not lost more than 2 per cent. in weight :

Provided also that it has not been clipped or filed, or defaced or diminished, otherwise than by use.

Four-anna and two-anna pieces.

The quarter-rupee and eight of a rupee shall be legal tender only for the fractions of a rupee, subject to the second proviso contained in this section.

Defaced silver coin.

(5) Silver coin issued by the Government of India, which has been defaced otherwise than by shroff marks, should not, when tendered to such an officer, be cut or broken, but should be returned to the tenderer.

(6) Silver coin issued by the Government of India which has been defaced or diminished only by shroff marks should, when tendered to such an officer, be received at its full nominal value; it should not be cut or broken, but should be withdrawn from circulation and disposed of under rule (8) or rule (9), as the case may be.

Shroff marked silver coin.

(7) In cutting or breaking any coin, officers should avoid completely dividing it, as it is often convenient to identify the parts of a particular coin. Such identification becomes practically impossible if the pieces are whollly separated. Care should, however, be taken that the destruction is complete.

Method of cutting and breaking.

8) Silver coin received by Government officers under these rules and withdrawn from circulation shall, whether or not it has been cut or broken under these rules, be sent by the first convenient opportunity to the Master of the Mint at Bombay or Calcutta, or to any principal Treasury appointed by the Accountant-General or Comptroller to receive such coin for remittance to the Mint. Such coin will be credited in the officer's cash balance as "uncurrent coin" at the actual value at which it has been received, and on transfer to the Mint will be credited at the rates prescribed in these rules, any loss incurred in re-coinage being taken as a charge of the Mint.

Cut, broken or withdrawn coin now disposed of by Government officers.

(9) Silver coin received by an officer other than a Government Officer under these rules and withdrawn from circulation should, whether or not it has been cut or broken under these rules, be sent to the nearest Government Treasury, where it will be paid for at the rates respectively prescribed in these rules, and thereafter it will be dealt with in the manner prescribed in rule (8).

Cut, broken or withdrawn coin how disposed of by other than Government Officers.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 13th February 1891.

VOLUNTEER CORPS.

APPOINTMENT.

No. 166.—*3rd Punjab (North-Western Railway) Volunteer Rifle Corps*—

Mr. Edward Augustus Down to be Second-Lieutenant, *vice* Biscoe, promoted.

A. R. BADCOCK,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 26, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 14TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 9th February 1891.

No. 44.—Mr. H. F. B. Frost, Executive Engineer, 4th Grade, is, on return from leave, transferred from the Establishment under the Government of Bengal to that under the Government of the Punjab.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 21ST, 1891.

HOME DEPARTMENT.

NOTIFICATION.—JUDICIAL.

Calcutta, the 14th February 1891.

No. 198.—The services of Lieutenant C. W. Field, 26th Punjab Infantry, are placed temporarily at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate, Mooltan.

C. J. LYALL,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Fort William, the 19th February 1891.

No. 269 *G.*—The following changes are made in the graded list of the Political Department:

Consequent on the grant of furlough to Captain W. H. Cornish, Political Agent of the 2nd class, substantive *pro tempore,* and with effect from the 1st February 1891—

* * * * * *

Lieutenant A. H. McMahon, Bengal Staff Corps, is appointed to be a substantive Political Assistant of the 2nd class. Lieutenant McMahon will continue to officiate as a Political Assistant of the 1st class.

* * * * * *

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 20th February 1891.

FURLOUGH AND LEAVE.

No. 169.—The undermentioned officer is granted furlough out of India :—

Colonel P. Lambert, Royal Engineers, Examiner, 1st Class, Public Works Accounts, Punjab, (p. a.) to 19th May 1891, under rule IX of the regulations of 1868.

A. R. BADCOCK,

for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 19th February 1891.

No. 52.—Mr. J. W. Wright, Superintending Engineer, 1st Class, Punjab, is appointed Officiating Secretary to the Chief Commissioner, Assam, in the Public Works Department with the temporary rank of Chief Engineer, 3rd Class.

J. G. FORBES, *Colonel, R. E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 5, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 3RD, 1891.

MILITARY DEPARTMENT.

Fort William, the 2nd January 1891.

LONDON GAZETTE.

No. 10.—The following extracts are published for general information :—

" *London Gazette* "*dated the* 28*th November*, 1890, *pages* 6698 *and* 6699.

India Office, 28*th November,* 1890.

The Queen has approved of commissions being conferred upon the undermentioned Senior Apothecaries of the Subordinate Medical Establishment in India, under the terms of the Royal Warrant of the 19th July, 1890. Dated 19th July, 1890, but to rank for purposes of precedence and other advantages attaching to corresponding Military rank from the dates given :—

BENGAL.

* * * * * * * *

Senior Apothecaries, Second Grade, ranking as Honorary Lieutenants.

* * * * * * * *

James Barker, 4th September, 1888.

* * * * * * * *

A. R. BADCOCK,

for Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 28TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—JUDICIAL.

Calcutta, the 23rd February, 1891.

No. 246.—Under the provisions of Section 4 of the Punjab Courts Act, XVIII of 1884, the Governor-General in Council is pleased to appoint Mr. A. W. Stogdon, Indian Civil Service, to officiate as a Judge of the Chief Court, Punjab, during the absence on furlough of Mr. A. H. Benton, Indian Civil Service, or until further orders.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 27th February, 1891.

FURLOUGH AND LEAVE.

No. 193.—The undermentioned officers and Warrant officer have been granted extensions of furlough by the Secretary of State for India :—

* * * * * *

Conductor R. Straughan, Sub-Engineer, 3rd grade, Public Works Department, Punjab (m. c.), for three months.

A. R. BADCOCK,
for *Secretary to the Government of India.*

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 24th February 1891.

No. 60.—The undermentioned Royal Engineer Officers are permitted to proceed to England for the purpose of going through a course of instruction at Chatham, under Clause 176 of India Army Circular, dated the 31st October, 1887, with effect from such date as they may be relieved of their duties:—

Major J. W. Thurburn, Executive Engineer, 2nd grade, Punjab.

* * * * * * * *

Captain H. E. S. Abbott, Executive Engineer, 3rd grade, Punjab.

* * * * * * * *

The 25th February, 1891.

No. 63.—Mr. D. C. Gordon, Examiner of Accounts, is, on return from furlough, appointed Examiner of Public Works Accounts, Punjab, *vice* Colonel P. Lambert, R. E., proceeding on furlough.

No. 64.—The services of Lieutenant H. C. I. Birdwood, R. E., Assistant Engineer, 1st grade, Punjab, are placed temporarily at the disposal of the Military Department for Field Service.

J. G. FORBES, *Colonel, R. E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 12, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 7TH, 1891.

MILITARY DEPARTMENT.

Fort William, the 6th March, 1891.

VOLUNTEER CORPS.

APPOINTMENT.

No. 235—*1st Punjab Volunteer Rifle Corps*—

Captain Charles John Dennys, Staff Corps, Cantonment Magistrate, Ráwalpindi, to be Captain, with effect from the 5th January 1891, *vice* Mitchell, transferred to the supernumerary list.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 2nd March, 1891.

No. 70.—The services of Colonel R. H. Palmer, S. C., Executive Engineer, 1st Grade, Punjab, are replaced at the disposal of the Military Department, with effect from the 10th March 1891.

J. G. FORBES, *Colonel, R. E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 19, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 14TH, 1891.

MILITARY SECRETARY'S OFFICE.

NOTIFICATIONS.

Calcutta, the 12th March 1891.

His Excellency the Viceroy and Governor-General will leave Calcutta on the 24th March 1891, and will arrive at Simla *viâ* Allahabad, Philibit, Naini Tal, Somesur, and Ranikhet about the end of April 1891.

His Excellency the Viceroy and Governor-General will leave Calcutta for Simla on Tuesday, the 24th March 1891 at 10 P. M.

His Excellency will visit *en route* Allahabad, Philibit, Naini Tal, Somesur, and Ranikhet, and arrive at Simla about the end of April 1891.

All covers intended to reach His Excellency the Viceroy and Governor-General during His Excellency's journey should be addressed "Governor-General's Camp," without the addition of any Post-town.

The party acompanying His Excellency on tour is as follows :—

1. His Excellency the Viceroy.	
2. Her Excellency the Marchioness of Lansdowne. 3. Mrs. E. H. Hope. 4. Lord Charles Fitzmaurice.	2, 3, and 4 will join His Excellency at Naini Tal.
5. Colonel J. C. Ardagh, C. B., Private Secretary. 6. Colonel Lord William Beresford, V. C., C. I. E., Military Secretary. 7. Surgeon-Major Fenn, Surgeon to His Excellency the Viceroy. 8. Lieutenant S. H. Pollen, A-D-C.	5, 6, 7, and 8 will accompany His Excellency throughout the tour.

9. Captain G. P. Brasier-Creagh, A-D-C. 9 will join His Excellency at Naini Tal.

10. F. W. Latimer, Esquire. 10 will accompany His Excellency throughout the tour.

All communications connected with business of a mere routine nature should be sent, as usual, to the Head-Quarters of the several Departments.

By Command,

WILLIAM BERESFORD, *Colonel,*

Military Secretary to Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Calcutta, the 13*th March* 1891.

No. 125.—The Governor-General in Council has been pleased, in accordance with the rules issued under Section 6 of the Statute 33 Vict., Cap. 3, to confirm Maulvi Inam Ali in the office of Assistant Commissioner to which he was nominated by the Government of the Punjab.

JUDICIAL.

The 13*th March* 1891

No. 353.—Under the provisions of Section 138 of the Negotiable Instruments Act, 1881, as amended by Act II of 1885, the Governor-General in Council has been pleased to accept the resignation tendered by Babu Hit Lál, Pleader, Umballa, of the office of Notary Public to which he was appointed by Home Department Notification No. 1279, dated the 1st September 1882.

No. 354.—Under the provisions of Section 138 of the Negotiable Instruments Act, 1881, as amended by Act II of 1885, the Governor-General in Council has been pleased to appoint Kundan Lál, Pleader, to be a Notary Public, and to exercise his functions as such within the Umballa District.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

SEPARATE REVENUE.

POST OFFICE.

Calcutta, the 13*th March* 1891.

No. 1079.—In exercise of the power conferred by Section 22 of the Indian Post Office Act XIV of 1866, and in modification of all existing notifications conflicting herewith, the Governor-General in Council has fixed the rates of postage to be levied on letters and other articles transmitted by post on and after the 1st day of April, 1891, between Aden and any other part of British India, in either direction, at the inland postage rates in force for the time being in British India.

No. 1080.—In exercise of the power conferred by Section 21 of the Indian Post Office Act XIV of 1866, and in modification of all existing notifications conflicting herewith, the Governor-General in Council directs that with the exceptions specified in the annexed Schedule A, rate of postage on letters sent through the Post, by any route, on and after the 1st day of April, 1891, from British India to any British Colony or possession or to any foreign country or Post Office which is or may hereafter be comprised in the Universal Postal Union shall be *two and a half annas for every half ounce or fraction of half an ounce in weight.*

A list of foreign countries at present comprised in the Universal Postal Union is given in the annexed Schedule B.

SCHEDULE A.

To		Rate of letter Postage.
Ceylon, by land route or by Indian packet *viâ* Tuticorin	..	Indian inland rate.
French and Portuguese possessions in India	...	Indian inland rate.
Persia (except Indian Offices)	...	2 annas per half ounce or fraction of half an ounce.
Persia, Indian Offices	...	Indian inland rate.
Turkey in Asia, and Guadur (Mekran Coast). } Indian Offices	...	Indian inland rate.

SCHEDULE B.

Foreign countries now comprised in the Universal Postal Union.

Argentine Republic.	Ecuador.	Japan.	Portuguese Colonies.
Austria.	Egypt.	Liberia.	Roumania.
Belgium.	France.	Luxemburg.	Russia.
Bolivia.	French Colonies.	Mexico.	Salvador.
Brazil.	Germany.	Montenegro.	Servia.
Bulgaria.	German Colonies and Protectorates.	Netherlands.	Siam.
Chili.	Greece.	Netherlands Colonies.	Spain.
Columbia, Republic of.	Guatemala.	Nicaragua.	Spanish Colonies.
Congo.	Hawaiian Islands.	Norway.	Sweden.
Costa Rica.	Hayti.	Paraguay.	Switzerland.
Danish Colonies.	Honduras. (Republic of).	Patagonia.	Turkey.
Denmark.	Hungary.	Persia.	United States of America.
Dominican, Republic. (San Domingo).	Italy.	Peru.	Uruguay.
		Portugal.	Venezuela.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 13th March 1891.

RETIREMENT.

No. 260.—Brigade Surgeon Robert Gray, M.B, Inspector-General of Prisons, Punjab, is permitted to retire from the service, with effect from the 3rd April, 1891, subject to Her Majesty's approval.

VOLUNTEER CORPS.

APPOINTMENTS.

No. 262.—3rd Punjab (North-Western Railway) Volunteer Rifle Corps—

Mr. Charles Dundas Dove Wilson to be Second-Lieutenant, to complete the establishment.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MARCH 26, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 14TH, 1891.

FOREIGN DEPARTMENT.

NOTIFICATION.

Fort William, the 13th March 1891.

No. 379 *G.*—Mr. W. Allan, late a clerk in the Foreign Department, who has been dismissed from his appointment, is declared incapable of serving Government hereafter in any capacity.

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

Docket by the Government of Bengal, No. 1966-R., dated 4th September 1890, forwarding letter from the Managing Agents, Deoghur Railway Company, Limited, No. 217-D., dated 26th August 1890.

Letter from the Government of Bengal, No. 2269-R., dated 17th November 1890, forwarding letter from the General Manager and Chief Engineer, Darjeeling-Himalayan Railway Company, Limited, No. 4495-G., dated 1st November 1890.

Letter from the Government of Bengal, No. 2270-R., dated 17th November, 1890, forwarding letter from the Managing Agents, Deoghur Railway Company, Limited, No. 824-D., dated 7th October 1890.

The General Manager and Chief Engineer, Darjeeling-Himalayan Railway Company, Limited.
The Managing Agents, Deoghur Railway Company, Limited.

OBSERVATIONS.—The authorities noted in the margin have applied for leave to adopt on such portions of the Railways under their control as are at present under construction, or any extensions thereof, the General Rules for working Railways under construction and not used for the public carriage of passengers, animals, or goods, which rules were published in the *Gazette of India* of the 8th November 1890, under Public Works Department Notification No. 480½, dated 30th October 1890.

Darjeeling-Himalayan Railway.
Deoghur Railway.

RESOLUTION.—The Governor-General in Council is pleased to sanction the application, to such portion or portions as may be under construction of the Railways specified in the margin, and extensions thereof, of the General Rules for working Railways under construction and not used for public carriage of passengers, animals, or goods, which were published under the Notification referred to in the foregoing observations.

ORDER.—Ordered, that the General Rules, which have already been published in the *Gazette of India*, dated 8th November 1890, be further notified to the Railway servants, and to the public, by a copy thereof being kept open to inspection, free of any charge, in the Office of the Engineer in charge of the construction of the Railway.

Ordered also, that this Resolution be communicated to the Government of Bengal for information and guidance, and that it be published under a Notification in Part I of the *Gazette of India*.

R. A. SARGEAUNT, *Lieut.-Colonel, R. E., Deputy Secretary.*

Documents accompanying.

Nil.

The 19th March 1891.

No. 104.—Mr. T. E. Ivens, Executive Engineer, 1st Grade, Punjab, is temporarily promoted to Superintending Engineer, 3rd Class, with effect from the 1st March 1891.

The 20th March 1891.

No. 110.—The following promotions and reversion are ordered in the Superior Accounts Branch:—

NAMES.	From	To	With effect from.
Mr. S. K. L. Yeats ...	Deputy Examiner, 1st Grade	Examiner, 4th Class, 3rd Grade, *temporary*.	22nd February 1891.
* * *	* * *	* * *	* * *

No. 111.—In supersession of Public Works Department Notification No. 343, dated the 12th August 1890, the Governor-General in Council is pleased to publish the following rules under section 22 of the Indian Railways Act, 1890, defining the cases in which, and in those cases the extent to which, the procedure prescribed in sections 17 to 20 (both inclusive) of the Act may be dispensed with:—

1. For the following works mentioned in section 20, namely, deviation lines, stations, junctions and crossings on the level, and any alteration or reconstruction materially affecting the structural character of any work, when the works named form part of, or are directly connected with, a Railway used for the public carriage of passengers, and have been constructed after the inspection which preceded the first opening of the section of Railway in which they are situated, only such notice will be required from the Railway Administration, in lieu of the notice prescribed in section 17 (1), as may from time to time be prescribed by the Inspector concerned, it being understood that in no case are such works to be opened by

the Railway Administration concerned without giving the required notice, and without receiving *in writing* the permission of the Inspector to open the work, whether the Inspector considers an inspection of the work necessary or not.

2. With reference to sections 18 and 25 of the Indian Railways Act, 1890, power is hereby conferred on all Inspectors of Railways to dispense with the notice required under section 17 (1) and, without previous report, under section 19, to sanction the opening for passenger traffic of the following works, when forming part of, or directly connected with, a Railway used for the public carriage of passengers, if, on careful inspection, it is found that provisions (*b*), (*c*) and (*f*) of sub-section (1) of section 19 have been duly fulfilled:—

(*a*) temporary diversions,* including temporary bridges and their approaches, when the waterway is considerable or the approaches are steep and tortuous;

(*b*) new bridges of 40 feet span and over on a line already opened;

(*c*) extensions of existing bridges of 40 feet span and over on open lines;

(*d*) any interlocking apparatus to be used for the working of points and signals in connection with passenger trains;

(*e*) any extensive alterations in the arrangements for signalling;

(*f*) any crossing of one line by another by means of a diamond crossing on the level.

Provided that in the case of emergency the Inspector may authorize the opening of any of the works mentioned in this rule, without inspection and without previous notice, if he is of opinion that such opening will not be attended with danger to the public travelling on the Railway, and further that any delay in opening the work or works will cause grave public inconvenience. Works so opened must, however, be duly inspected at the earliest possible date.

In all cases coming under this rule, the Inspector will, on authorizing the opening of the work, report in full detail to the Government of India, through the Director-General of Railways, in regard to the work thus permitted to be opened.

3. In the case of minor works other than those named in the preceding rule and which form part of, or are directly connected with, a Railway already opened for the public carriage of passengers, the Inspector will exercise his discretion as to carrying out an inspection or not.

Power is also conferred on all Inspectors of Railways to sanction the opening of such minor works, not only without inspection in any cases in which the Inspector considers such inspection to be unnecessary, but also without previous report under section 19, provided that the Inspector is otherwise satisfied that such opening will not be attended with danger to the public.

The authority for opening such works will be communicated *in writing* by the Inspector to the Railway Administration.

J. G. FORBES, *Colonel, R.E.*,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED MARCH 28TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—PUBLIC.

Calcutta, the 25th March 1891.

No. 625.—Under the provisions of section 9 of Statute 24 and 25 Vict., cap. 67, the Governor-General in Council is pleased to direct that His Excellency's Council shall assemble at Simla in the jurisdiction of the Lieutenant-Governor of the Punjab.

C. J. LYALL,
Secretary to the Government of India.

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* NOTE.—Temporary diversions *may*, in cases of accident, be opened under section 21 on the responsibility of the Railway Administration; but the Inspector should, if the use of the temporary diversion be likely to be extended for more than three days, take the earliest possible opportunity of inspecting the temporary diversion.

FOREIGN DEPARTMENT.

NOTIFICATION.

Fort William, the 23rd March 1891.

No. 1328-*I.*—Whereas the Governor-General in Council has and exercises full jurisdiction within those portions of the land forming the Bangalore Branch of the Madras Railway (including the land occupied by stations and out-buildings and for other purposes connected with the Railway) which lie within the territories of His Highness the Maharaja of Mysore;

And whereas the Chiefs of Morvi, Wankaner, Wadhwan, Lakhtar, Sayla, Muli, Dhrol and Rajkot, and the Talukdars of Gavridad and Kotharia in Kathiawar, have ceded to the British Government the civil and criminal jurisdiction exercised by them within the lands which lie within their respective territories and are occupied by the Morvi State Railway (including the lands occupied by stations and out-buildings and for all other Railway purposes, and the lands occupied by culverts or bridges over which the Railway passes); and whereas the Governor-General in Council now possesses full jurisdiction within those lands;

And whereas the Rulers or Administrators of the other States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction, or all the jurisdiction they possessed, within the lands which lie within their respective territories, or which lie within the parts of their respective territories mentioned or referred to in the third column of the said schedule, and are occupied, or may be hereafter occupied, by the Railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other Railway purposes); and whereas the Governor-General in Council now possesses full jurisdiction within those lands:

In exercise of the jurisdiction referred to, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders:—

I.—The provisions, so far as they may be suitable, and as amended for the time being by subsequent enactments, of the Indian Railways Act, IX of 1890, shall apply to all the aforesaid lands.

II.—In exercise of the power conferred by section 16 of the said Indian Railways Act, the Governor-General in Council is pleased to sanction the use of locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby, on all railways occupying any of the aforesaid lands and for the time being used for the public carriage of passengers, animals or goods.

III.—The general rules for working open lines of Railway which were published under the Notification of the Government of India in the Public Works Department, No. 299, dated the 13th September 1880, in the Gazette of India for 1880, Part I, page 450, shall, subject to the modifications shown in the second column of the schedule annexed to Public Works Department Resolution No. 467 R. T., dated the 15th August 1890, published in the Gazette of India for 1890, Part I, page 647, apply to all Railways occupying any of the aforesaid lands, and for the time being used for the public carriage of passengers, animals or goods.

IV.—The general rules for working Railways under construction and not used for the public carriage of passengers, animals or goods, which were published under the Notification of the Government of India in the Public Works Department, No. 480½, dated the 30th October 1890, in the Gazette of India for 1890, Part I, page 795, shall apply to such portions of the Railways occupying any of the aforesaid lands as may for the time being be under construction.

V.—In exercise of the power conferred by section 144 of the said Indian Railways Act, the Governor-General in Council is pleased to delegate to Local Governments, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in

him under the said Act; the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor-General in Council may from time to time think fit :—

(1) *Sections* 7, 9, *and* 11.—All the powers and functions of the Governor-General in Council, subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.

(2) *Section* 48.—All the powers and functions of the Governor-General in Council, only in cases where the Railways concerned are under the control of one and the same Local Government.

(3) *Section* 51, *clauses* (*a*), (*b*), (*c*), (*d*), *and* (*e*). *and section* 55.—All the powers and functions of the Governor-General in Council.

(4) *Section* 63.—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.

(5) *Section* 83.—The power of notifying the Magistrates and Police officers to whom notices of railway accidents are to be given.

VI.—The Governments and authorities mentioned in the fourth column of the schedule hereto annexed shall be deemed, for the purposes of the said Indian Railways Act and of clause V of this Notification, to be the Local Governments in respect to such parts of the Railways mentioned opposite their names, respectively, in the first column of the said schedule, as are situate within the territories of the States mentioned opposite their names, respectively, in the second column of the said schedule.

VII.—The following Notifications of the Government of India in the Foreign Department are hereby cancelled :—

No. 4587-I., dated the 21st October 1887.

No. 1145-I., dated the 22nd March 1888.

No. 2065-I., dated the 22nd May 1889, in so far as it refers to Notification No. 1145-I., dated the 22nd March 1888.

VIII.—The following Notifications of the Government of India in the Public Works Department, sanctioning the use of locomotive engines or other motive power, and carriages and wagons to be drawn or propelled thereby, are hereby cancelled, in so far as they relate to the portions of the Railways mentioned in the first column of the schedule hereto annexed which are situated in the States mentioned opposite them, respectively, in the second column of that schedule :—

No. 265, dated the 18th June 1879.

„ 10, dated the 10th January 1883.

„ 212, dated the 3rd September 1884.

„ 283, dated the 13th October 1885.

„ 331, dated the 12th December 1885.

„ 72, dated the 17th March 1886.

„ 101, dated the 23rd March 1888.

„ 203, dated the 4th July 1888.

„ 208, dated the 6th July 1888.

„ 261, dated the 7th September 1888.

„ 42, dated the 28th January 1890.

IX.—The following Resolutions of the Government of India in the Public Works Department are hereby cancelled, in so far as they relate to the portions of the Railways mentioned in the first column of the schedule hereto annexed which are situated in the States mentioned opposite them, respectively, in the second column of that schedule :—

No. 88 R.T., dated the 21st January 1886.

" 504 R.T., dated the 21st May 1886.

" 724 R.T., dated the 17th July 1886.

" 789 R.T., dated the 2nd July 1887.

" 1009 R.T., dated the 25th September 1888.

" 018 R.T., dated the 28th November 1888.

" 69 R.T., dated the 26th April 1889.

" 240 R.T., dated the 14th June 1889.

" 353 R.T., dated the 23rd July 1889.

" 512 R.T., dated the 23rd September 1889.

" 703 R.T., dated the 6th October 1890.

" 2 R.T., dated the 3rd January 1891.

THE SCHEDULE.

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Bengal-Nagpur Railway ...	Khairagarh ...	...	The Chief Commissioner of the Central Provinces.
Ditto ...	Nandgaon ...	...	Ditto.
Ditto ...	Rewah ...	...	Ditto.
Ditto ...	Gangpur ...	The eastern parts of the State.	The Government of Bengal.
Ditto ...	Khursawan ...	...	Ditto.
Ditto ...	Seraikilla ...	...	Ditto.
Bhavnagar-Gondal-Junagad-Porbandar Railway (Dhoraji-Porbandar Section).	Gondal ...	...	The Government of Bombay.
Ditto ...	Navanagar ...	...	Ditto.
Ditto ...	Porbandar ...	...	Ditto.
Bombay, Baroda and Central India Railway.	Bajana ...	...	Ditto.
Ditto ...	Lakhtar ...	...	Ditto.
Ditto ...	Patri ...	...	Ditto.
Ditto ...	Wadhwan ...	...	Ditto.
Delhi-Umballa-Kalka Railway.	Kalsia ...	...	The Government of the Punjab.
Ditto ...	Patiala ...	...	Ditto.
Dhond-Manmad State Railway.	Hyderabad ...	...	The Resident at Hyderabad.
Great Indian Peninsula Railway.	Ditto ...	...	Ditto.
Ditto ...	Kurundwar ...	The villages of Baroti, Dudhani and Rupéwadi.	The Government of Bombay.

THE SCHEDULE—CONTINUED.

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Indian Midland Railway—			
(1) Jhansi-Agra Section.	Dholpur ...	...	The Agent to the Governor-General for Rajputana.
Ditto ...	Datia ...	...	The Agent to the Governor-General for Central India.
Ditto ...	Gwalior ...	...	Ditto.
(2) Jhansi-Bhopal-Itarsi Section.	Bhopal ...	...	Ditto.
Ditto ...	Gwalior ...	...	Ditto.
Ditto ...	Khaniadhana ...	...	Ditto.
Ditto ...	Kurwai ...	...	Ditto.
Ditto ..	Orchha ...	...	Ditto.
(3) Jhansi-Cawnpore Section.	Samthar ...	...	Ditto.
(4) Jhansi-Manickpur Section.	Alipura ...	...	Ditto.
Ditto ...	Garrauli ...	...	Ditto.
Ditto ...	Orchha ...	...	Ditto.
Ditto ...	Pahra ...	...	Ditto.
Ditto ...	Taraon ...	...	Ditto.
Jammu and Kashmir Railway.	Jammu ...	...	The Resident in Kashmir.
Kolhapur State Railway ...	Kolhapur ...	...	The Government of Bombay.
	Miraj ...	...	Ditto.
	Sángli ...	...	Ditto.
Madras Railway ...	Hyderabad ...	...	The Resident at Hyderabad.
Do. (Bangalore Branch)	Mysore ...	...	The Resident in Mysore.
Morvi State Railway ...	Dhrol ...	...	The Government of Bombay.
Ditto ...	Gavridad ...	...	Ditto.
Ditto ...	Kotharia ...	...	Ditto.
Ditto ...	Lakhtar ...	...	Ditto.
Ditto ...	Morvi ...	...	Ditto.
Ditto ...	Muli ...	...	Ditto.
Ditto ...	Rajkot ...	...	Ditto.
Ditto ...	Sayla ...	...	Ditto.
Ditto ...	Wadhwan ...	...	Ditto.
Ditto ...	Wankaner ...	...	Ditto.
The Railways comprised in the undertaking of the Nizam's Guaranteed State Railways Company.	Hyderabad ...	...	The Resident at Hyderabad.
North-Western Railway (the Sind, Punjab and Delhi line).	Kapurthala ...	...	The Government of the Punjab.
Ditto ...	Nabha ...	...	Ditto.
Ditto ...	Patiala ...	...	Ditto.
Rajputana-Malwa Railway—			
(1) Cawnpore-Achnera State Railway.	Bhartpur ...	...	The Agent to the Governor-General for Rajputana.
(2) Holkar State Railway.	Indore ...	The land to the south of the River Nerbudda.	The Chief Commissioner of the Central Provinces.
Ditto ...	Do. ...	The land to the north of the River Nerbudda.	The Agent to the Governor-General for Central India.
(3) Neemuch-Nusseerabad State Railway.	Gwalior ...	...	Ditto.
Ditto ...	Meywar ...	...	The Agent to the Governor-General for Rajputana.
Ditto ...	Tonk ...	...	Ditto.
(4) Rajputana State Railway.	Bhartpur ...	...	Ditto.
Ditto ...	Jaipur ...	...	Ditto.
Ditto ...	Kishangarh ...	...	Ditto.
Ditto ...	Ulwar ...	...	Ditto.
Ditto ...	Nabha ...	...	The Government of the Punjab.
Ditto ...	Pataudi ...	...	Ditto.
(5) Rewari-Ferozepore Railway.	Dujana ...	...	Ditto.
Ditto ...	Faridkot ...	...	Ditto.
Ditto ...	Jhind ...	...	Ditto.

THE SCHEDULE—CONCLUDED.

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Rajputana-Malwa Railway—*contd.*			
(5) Rewari-Ferozepore Railway.	Nabha	...	The Government of the Punjab.
Ditto ...	Patiala	...	Ditto.
(6) Sindhia-Neemuch State Railway.	Dhar	...	The Agent to the Governor-General for Central India.
Ditto ...	Gwalior	...	Ditto.
Ditto ...	Indore	...	Ditto.
Ditto ...	Jaora	...	Ditto.
Ditto ...	Rutlam	...	Ditto.
Ditto ...	Sailana	...	Ditto.
(7) Western Rajputana State Railway.	Baroda	...	The Government of Bombay.
Ditto ...	Pahlanpur	...	Ditto.
Ditto ...	Jodhpur	...	The Agent to the Governor-General for Rajputana.
Ditto ...	Serohi	...	Ditto.
Southern Mahratta Railway—			
(1) Bijapur Branch ...	Akalkot	The villages of Khánápur, Kegaon Budrukh, Kegaon Khurd, Sular Jawaige and Tadval.	The Government of Bombay.
Ditto	Hyderabad	...	The Resident at Hyderabad.
Ditto ...	Rámdrug	The villages of Asoti and Somankatti.	The Government of Bombay.
Ditto ...	Sángli	The village of Lachan ...	Ditto.
(2) Harihar Branch ...	Jamkhandi	The villages of Kamdoli, Kundgol, Pur, Sawshi and Sirúr.	Ditto.
Ditto ...	Miraj (Junior)	The village of Gudgeri ...	Ditto.
Ditto ...	Savanúr	The villages of Honnikop and Tondur.	Ditto.
(3) Mysore section ...	Mysore...	The portion of land which lies between the centre of the Harihar Railway Bridge as measured from bank to bank and the north distant signal of the Harihar Railway Station	Ditto.
(4) Poona Branch ...	Aundh	The villages of Bichud, Kundal and Virawde.	Ditto.
Ditto ...	Jamkhandi	The village of Shirawde ...	Ditto.
Ditto ...	Kolhapur	The villages of Bambual, Budihal, Chinchli, Hubarhatti, Mavinhuda, Morab, Nagral and Ráybág.	Ditto.
Ditto ...	Kurundwad (Senior) ...	The villages of Angal and Budhihál ...	Ditto.
Ditto ...	Kurundwad (Junior) ...	The villages of Dawunkatti, Majgaum, Sulga and Yellur.	Ditto.
Ditto ...	Miraj (Senior)	The villages of Miraj, Narvad and Wuddi.	Ditto.
Ditto ...	Miraj (Junior)	The village of Budgaon ...	Ditto.
Ditto ...	Phaltan	The villages of Adarki Khurd, Hingangaon, Kapadgaon, Koparde, Salpa and Tambwe.	Ditto.
Ditto ...	Sángli	The villages of Chandur, Dudhondi, Ghogav, Jhad Sháhápur, Kalkhamb, Karnol, Khangav Budrukh, Khangav Khurd, Mhaisál, Nandre, Sángli, Tumbarguddi, Tupari, Ugár Khurd and Yadalbhavihatti.	Ditto.

W. J. CUNINGHAM,

Offg. Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 27th March 1891.

RETIREMENT.

No. 319.—Brigade-Surgeon George Massy, Civil Surgeon, Amritsar, has been permitted by the Secretary of State for India to retire from the service, with effect from the 1st April 1891, subject to Her Majesty's approval.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 25th March 1891.

No. 114.—Mr. W. H. E. Turner, Accountant, 2nd Grade, temporary rank, in th Office of the Examiner of Public Works Accounts, Punjab, is appointed to the Superior Accounts Branch as Assistant Examiner, 2nd Grade, sub. *pro tem.*, on probation, and is posted to the Office of the Examiner of Accounts, Burma.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 9, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 4TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 25th March 1891.

No. 625.—Under the provisions of Section 9 of Statute 24 and 25 Vict., Cap. 67, the Governor-General in Council is pleased to direct that His Excellency's Council shall assemble at Simla in the jurisdiction of the Lieutenant-Governor of the Punjab.

JUDICIAL.

Simla, the 3rd April 1891.

No 461.—The services of Major A. K. Macpherson, Cantonment Magistrate, Meean Meer, are placed temporarily at the disposal of the Military Department.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 3rd April 1891.

PROMOTIONS.

No. 336.—The following promotions are made, subject to Her Majesty's approval :-

MEDICAL DEPARTMENT.

Surgeons to be Surgeons-Major. Dated 31st March 1891.

Francis Frederic Perry.

* * * * *

Stephen Little, M.D.

* * * * *

RETIREMENTS.

No. 339.—Under instructions from the Secretary of State for India, the retirement of Brigade-Surgeon G. Massy, notified in G. G. O. No. 319 of 1891, is cancelled.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 16, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 11TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—JUDICIAL.

Simla, the 9th April 1891.

No. 480.—With reference to the Notification of the Home Department, No. 719, dated the 29th May 1890, it is hereby notified that the placing of the services of Lieutenant H. Trevor, B.S.C., 15th Bengal Infantry, at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate of Ferozepore was without prejudice to his military duties for the period from the 3rd April to the 15th October 1890.

C. J. LYALL,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 8th April 1891.

No. 1458-*I.*—Whereas His Highness the Maharaja of Jamu and Kashmir has ceded to the British Government full jurisdiction within those lands which lie within his State and are occupied, or may be hereafter occupied, by the Sialkot-Jamu section of the North-Western Railway system, including the lands occupied by stations and out-buildings and for other purposes connected with the said section: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders:

(1) All laws for the time being in force in the Siálkot District of the Punjab shall be deemed to be in force in the aforesaid lands.

(2) The Deputy Commissioner of the Sialkot District, the Commissioner of the Rawalpindi Division, the Financial Commissioners of the Punjab, and the Lieutenant-Governor of the Punjab and its Dependencies for the time being shall respectively have, within the aforesaid lands, the same executive powers as they may respectively exercise within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Sialkot District may exercise the same jurisdiction within the aforesaid lands.

(4) Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police or such other officer as the said Lieutenant-Governor may appoint by name or in virtue of his office in that behalf. The Assistant Inspector-General or other officer aforesaid shall have the same Police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Sialkot District in subordination to the Deputy Commissioner of the Sialkot District and the Inspector-General of Police in the Punjab.

H. M. DURAND,

Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

STATISTICS AND COMMERCE.

CUSTOMS.

Simla, the 6th April 1891.

No. 1430.—In exercise of the powers conferred by section 19 A, sub-section (2), of the Sea Customs Act, 1878 (as amended by section 11 of the Indian Merchandise Marks Act, 1889), and sections 19 and 20 of the Indian Merchandise Marks Act, 1889 (as amended by Act IX of 1891), the Governor-General in Council is pleased to make the subjoined rules and orders:

1. Piece goods, such as are ordinarily sold by length or by the piece, shall be deemed to include woollen goods of all kinds and the undermentioned descriptions of cotton goods, namely:

Cambrics.	Madapollams.
Checks, Spots, and Stripes.	Mulls.
Chudders.	Muslins.
Chudder Dhooties.	Nainsooks.
Dhooties.	Printers.
Domestics.	Prints.
Doorias.	Sarries.
Drills.	Scarves (Eklai).
Jaconets.	Sheetings.
Jeans.	Shirtings.
Lappets.	Tanjibs.
Lawns.	Twills.
Lenos.	T Cloths and Mexicans.
Longcloths.	

2. Other classes of piece goods shall not be detained if unstamped; and unstamped cotton and woollen piece goods imported for private and personal use and not intended for sale shall not be detained if the Customs Collector is satisfied that they are actually not intended for sale.

3. Examinations of packages to ascertain whether the goods mentioned in rule 1 are stamped shall be made at frequent intervals, at the discretion of the Customs Collector, and either under his personal instructions, or under general orders and instructions given by him to an Assistant Collector.

4. The piece goods contained in the packages so examined need not be examined when found to be stamped to test the accuracy of the stamping, except on information received, or when the Customs Collector has reason to suspect, that the stamping is false.

5. All measurements of piece goods shall be made on the table.

6. Yarns need not be examined or measured except on information received, or when e Collector has reason to suspect, that the trade-description is false.

7. An examination of yarns to test the accuracy of the description of count or length all be made, in the first instance, up to the limit of one bundle in the consignment.

8. If on such examination the difference between the average count or length and e described count or length is in excess of the variations permitted in paragraphs III and of the Notification in the Home Department, No. 1738 (Judicial), dated the 4th Decem-r 1890, the importer may require a further examination to be made up to the limit stated rule 9.

9. The test to determine count and length of yarns shall be applied as follows:

One bundle should be taken from any bale in the consignment, and each knot in the mdle weighed. From the knots so weighed should be selected the heaviest knot, the htest knot, and the knot which approaches most closely to the standard weight of a knot yarn of the particular count under examination.

[By standard weight is meant the weight which the knot of yarn of the described unt should be if the length of the hank is correct, *e.g.*, a knot of No. 20 of ten hanks to the ot should weigh eight ounces.]

The heaviest knot should then be selected from the knots so weighed, and each hank in weighed, the heaviest and lightest hank, and also the hank which approximates most sely to the standard weight, being selected. This process should be repeated with the her two weighed knots.

There will then be nine hanks to be dealt with, three from each of the three knots eighed.

These nine hanks should then be tested on the wrap-reel. If on such test the differ-ce between the average count or length and the described count or length is in excess of variations permitted by the Notification quoted in the preceding rule, the process may repeated, if the importer should require it, up to the limit of one per cent. of the whole mber of bundles in the consignment; but no more extended examination shall be made less the importer agrees to pay the cost thereof, in which case an examination may be de up to the limit of ten per cent. of the bundles in the consignment.

10. The Customs Collector may require from any informant a security not exceeding e hundred rupees. If the Collector should be satisfied that the information given is wilfully lse, the security shall be forfeited.

SEPARATE REVENUE, &c.

SALT.

Simla, the 8th April 1891.

No. 1452—The following rules made by the Governor-General in Council in exercise the powers conferred by Sections 8 A and 8 B, Chapter III A of the Indian Salt Act, 1882 amended by Act XIX of 1890), are published under Section 29 of the said Act, and shall ke effect at once:

INDUS PREVENTIVE LINE.

1. The zone defined for the purposes of Chapter III A shall commence from the rthern extremity of the Hazara District of the Punjab. Its western boundary shall follow e western boundary of that district until it reaches the hereditary jagir of the Nawab of nb; then, following the eastern boundary of the said jagir, it shall proceed southward to rbela on the left bank of the Indus, and thence along that left bank to a point opposite to e northern extremity of the Peshawar District upon the right bank. It shall then cross the right bank of the Indus, and follow that bank to the junction of the Indus with the tlej. The zone shall extend eastward from its western boundary for 15 miles or to the undary of British territory, whichever is least.

It shall also extend so as to include the line and premises of the North-Western Rail-y from Peshawar to Rawalpindi and the area occupied by the said Railway at both of ose places.

2. Within the zone above defined a chain of posts shall be established at such places may from time to time be deemed necessary by the Commissioner of Northern India Salt evenue.

3. Within the limits of the zone no person shall possess any Kohat salt except wi the permission of the Commissioner of Northern India Salt Revenue, or any S Revenue Officer empowered by him in this behalf, and such permission shall not be giv for any quantity exceeding one ser.

4. All persons and things crossing or being taken across the chain of posts may searched by or by order of any Salt Revenue Officer on duty.

Whenever it is necessary to cause a woman to be searched, the search shall be mad by another woman with strict regard to decency.

5. The provisions of Rules 3 and 4 shall not apply to Kohat salt in transit by roa across the line of rail between Peshawar and Attock.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 10*th April* 1891.

LONDON GAZETTE.

No. 351.—The following extracts are published for general information :

" London Gazette," dated the 17*th March* 1891, *pages* 1482 *and* 1483.

INDIA OFFICE,

17*th March* 1891.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Military Forces and admissions to the Staff Corps made by the Governments in India :

BENGAL STAFF CORPS.

* * * * *

To be Majors.

Captain Henry Percy Poingdestre Leigh. Dated 3rd January 1891.

* * * * *

Lieutenants to be Captains. Dated 14*th January* 1891.

* * * * *

Clement George Parsons.

* * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 23, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 18TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Simla, the 16*th April* 1891.

No. 729.—The Birthday of Her Majesty the Queen, Empress of India, will be kept in India on Saturday, the 30th May 1891.

JUDICIAL.

The 17*th April* 1891.

No. 514.—With effect from the date of the departure on furlough of Sir H. M. Plowden, Barrister-at Law, the Governor-General in Council is pleased, under the provisions of section 4 of the Punjab Courts Act, XVIII of 1884, to appoint Mr. F. P. Beachcroft, Indian Civil Service, to officiate as a Judge of the Chief Court, Punjab, until further orders.

No. 521.—The services of Captain W. A. B. Dennys, 26th Punjab Infantry, are placed temporarily at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate, Peshâwar, in addition to his military duties.

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 17th April 1891.

FURLOUGH AND LEAVE.

No. 365.—The undermentioned officers and warrant officer are granted furlough out of India:—

* * * * * * * *

Colonel R. T. M. Lang, General List, Cavalry, Deputy Commissioner, 1st grade, Punjab, (m. c.) for eight months,—117 days under rules IX and XV, and the remaining period under rule XIV, clause 2, of the regulations of 1868.

* * * * * * * *

VOLUNTEER CORPS.

PROMOTIONS.

***No.* 391.—*3rd Punjab (North-Western Railway) Volunteer Rifle Corps*—**

Major George Frederick Wilson, Royal Engineers, to be Lieutenant-Colonel, with effect from the 1st March 1891, to complete the establishment.

Second-Lieutenant Leonard Charles Dixon Bean to be Lieutenant, *vice* Robb, transferred to the supernumerary list.

Second-Lieutenant John Henry Murray to be Lieutenant, *vice* Taylor, transferred to the Eastern Bengal State Railway Volunteer Rifle Corps.

Mr. Cyril Hitchcock to be Second-Lieutenant to complete the establishment.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 30, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 25TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—MEDICAL.

Simla, the 20th April 1891.

No. 180.—The services of Surgeon D. M. Davidson, Bengal Establishment, are placed temporarily at the disposal of the Government of the Punjab.

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Simla, the 24th April 1891.

No. 496 *F.*—Mr. A. E. Wild, Deputy Conservator, 1st Grade, Punjab, is appointed to officiate as Conservator of Forests, 3rd Grade, Punjab, during the absence on one year's furlough of Mr. R. H. C. Whittall, Conservator of Forests, 3rd (officiating 2nd) Grade, with effect from the 25th March 1891, and until further orders.

E. C. BUCK,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 23rd April 1891.

No. 794 *E.*—With reference to the Foreign Department's Notification No. 2134-E., dated the 9th October 1890, Kázi Imám-ud-dín, Tahsíldár of Kohát, who was appointed to be an Extra Assistant Commissioner in Balúchistán, on probation, is confirmed in that appointment.

H. M. DURAND,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 24th April 1891.

FURLOUGH AND LEAVE.

No. 406.—The undermentioned officers are granted leave to proceed out of India on private affairs under the leave rules for the Staff Corps, the specified period to count from the date of being struck off duty :

* * * * * * * *

Captain G. H. Watson, Staff Corps, Cantonment Magistrate, 2nd Class, Punjab, for 210 days. Pension service—15th year commenced 11th September 1890.

JUDICIAL.

No. 411.—In exercise of the power conferred by section 20, sub-section (1), of the Cantonments Act, XIII of 1889, the Governor-General in Council is pleased to exempt--

(1) horses kept by officers for the performance of their duties, and

(2) soldiers' dogs,

from the operation of the taxes imposed in the Cantonment of Dagshai by Notification No. 729, dated the 6th April 1891, published in the *Punjab Government Gazette*, Part I, page 142.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 7, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 2ND, 1891.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 1st *May* 1891.

No. 14.—In exercise of the power conferred by the Statute 24 and 25, Vict., Chap. 67, Section 17, the Governor-General in Council has been pleased to appoint Thursday, the 14th instant, at 11 A.M., as the time, and the Council Chamber in the Viceregal Lodge, Simla, as the place, for a Meeting of the Council of the Governor-General for the purpose of making Laws and Regulations.

S. HARVEY JAMES,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—MEDICAL.

Simla, the 28*th April* 1891.

No. 196.—Surgeon F. F. Perry, Professor of Surgery in the Lahore Medical College, is appointed to officiate as Principal of that Institution, *vice* Surgeon-Major S. H. Brown, who has obtained special leave for six months, with effect from the 1st proximo.

No. 197.—The services of Surgeon James Murray are placed at the disposal of the Punjab Government in order that he may officiate as Professor of Medicine and Botany in the Lahore Medical College.

JUDICIAL.

The 27th April 1891.

No. 572.—The services of Lieutenant H. Trevor, 15th Bengal Infantry, Officiating Cantonment Magistrate, Ferozepore, are replaced at the disposal of the Military Department, with effect from the afternoon of the 2nd April 1891.

The 30th April 1891.

No. 605.—In exercise of the power conferred by Section 16 of the Indian Merchandise Marks Act, IV of 1889, the Governor-General in Council is pleased to substitute the following instruction for No. III (*c*) contained in the Notification of this Department, No. 1738, dated the 4th December 1890 :—

(c) In a bundle of yarn of any count under 50 described as being ten pounds in weight, the number of knots of twenty hanks each is not half of, the number of knots of ten hanks each is not the same as, and the number of knots of five hanks is not double, the described count or number of the yarn.

C. J. LYALL,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 28th April 1891.

No. 828 *E.*—The services of Assistant Surgeon Shaikh Ghulám Muhammad, late in charge of the Civil Dispensary at Appozai, are replaced at the disposal of the Punjab Government, with effect from the 1st April 1891.

H. M. DURAND,
Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 30th April 1891.

No. 1805.—Mr. E. W. Kellner is appointed Comptroller of India Treasuries with effect from the 25th April 1891, but will continue to officiate as Accountant-General, Punjab, until further orders.

J. F. FINLAY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 1st May 1891.

FURLOUGH AND LEAVE.

No. 439.—The undermentioned officers have been granted extensions of furlough or leave by the Secretary of State for India :

* * * * *

Surgeon-Major W. A. C. Roe, Civil Surgeon, Mooltan (m. c.), for six months.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 27th April 1891.

No. 138.—The undermentioned Royal Engineer Officers are appointed to the Public Works Department as Assistant Engineers, 2nd Grade:

* * * * *

Lieutenants Farwell and Panet are posted to the Punjab, and Lieutenants Adams and Wilkinson to State Railways.

No 139.—With reference to Public Works Department Notification No. 138, dated the 27th April 1891, the services of the undermentioned Royal Engineer Officers are placed temporarily at the disposal of the Chief Commissioner, Burma:—

Lieutenant C. B. Farwell, Assistant Engineer, 2nd Grade, Punjab.

Lieutenant A. E. Panet, Assistant Engineer, 2nd Grade, Punjab.

* * * * *

The 28th April 1891.

No. 142.—The permission granted to Captain H. E. S. Abbott, R. E., Executive Engineer, 3rd Grade, Punjab, to proceed to England for the purpose of going through a course of instruction at Chatham, notified in Public Works Department Notification No. 60, dated 24th February 1891, is hereby cancelled.

The 30th April 1891.

No. 147.—Mr. C. Taylor, Executive Engineer, 3rd Grade, Punjab, is at his own request permitted to resign the service of Government, with effect from the 15th February 1891.

The 1st May 1891.

No. 149.—Mr. E. A. Sibold, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as a Superintending Engineer during the absence on privilege leave of Major S. L. Jacob, R. E., or until further orders.

No. 152.—Mr. H. W. Perry, Assistant Engineer, 3rd Grade, State Railways, is transferred to the Punjab.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, MAY 14, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 9TH, 1891.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 9th May 1891.

His Excellency the Viceroy and Governor-General will hold a Levée at the "Viceregal Lodge" at 9-45 P. M. on Saturday, the 30th May 1891.

All Civil and Military Officers and the Native Officers of the Detachment of the 2nd Battalion, 1st Gurkhas, are invited to attend.

All Officers and Gentlemen attending the Levée are requested to bring with them two cards, with their names legibly written thereon—one card to be delivered on entering the "Viceregal Lodge," and the other to the Aide-de-Camp in waiting at the time of presentation.

Gentlemen who have not already been presented at the Court of St. James or at the Viceregal Court are requested to send their names and addresses to the Aide-de-Camp in waiting not later than Wednesday, the 20th May 1891; and, when attending the Levée, to have the names of those Gentlemen who are to present them, who must themselves attend the Levée, also written on their cards.

Gentlemen wearing uniform will appear in full dress.

Gentlemen not entitled to wear uniform will appear in evening dress.

By Command,

WILLIAM BERESFORD, *Colonel,*

Military Secretary to Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.—MEDICAL.

Simla, the 5th May 1891.

No. 214.—The services of Surgeon R. J. Macnamara, Bengal Establishment, which were placed temporarily at the disposal of the Government of the Punjab by Home Department Notification No. 411, dated the 4th July 1889, are placed permanently at the disposal of that Government.

No. 217.—The services of Surgeon W. R. Clark, I.M.S., are placed temporarily at the disposal of the Punjab Government for employment as officiating Professor of Anatomy in the Lahore Medical College.

C. J. LYALL,

Secretary to the Government of India

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 8th May 1891.

No. 932 *E.*—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, 1879, the Governor-General in Council is pleased—

(*a*) to appoint every officer for the time being holding the office of Resident in Kashmir or of Assistant to the Resident in Kashmir, being an European British subject, to be a Justice of the Peace within the territories of His Highness the Maharaja of Jammu and Kashmir; and

(*b*) to direct that Justices of the Peace within the said territories shall commit for trial to the Chief Court of the Punjab.

No. 933 *E.*—Whereas the Governor-General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir; In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders with respect to such cases:—

PART I.

CRIMINAL JUSTICE.

For the purposes of the exercise within the said territories of criminal jurisdiction in shch cases as aforesaid:—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Magistrate and of a Court of Session as described in the Code of Criminal Procedure, 1882.

(2) The Resident in Kashmir for the time being shall exercise the powers of a Court of Session and High Court, as described in the said Code, in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants: provided that no such Assistant shall commit any accused person for trial to the Resident acting as a Court of Session.

(3) The Resident in Kashmir for the time being shall exercise the powers of a High Court, as described in the said Code, in respect of all offences over which the jurisdiction of a Court of Session is exercised by any such Assistant, except that, in cases in which the said Code requires ths sentence of a Court of Session to be confirmed by the High Court, the sentence shall be referred for confirmation to the Governor-General in Council instead of to the Resident.

(4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1882, for the trial of warrant-cases by Magistrates.

(5) A trial before an Assistant in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.

(6) This part of these orders applies to all proceedings except—

(a) Proceedings against European British subjects or British subjects jointly charged with European British subjects; and

(b) Proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

PART II.

CIVIL JUSTICE.

For the purposes of the exercise within the said territories of civil jurisdiction in such cases as aforesaid:—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other proceedings in which jurisdiction is conferred on the District Court by the law for the time being in force.

(2) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed one thousand rupees.

(3) Appeals shall lie, subject to the law for the time being in force, to the Resident in Kashmir from the decrees and orders of an Assistant, and the Resident shall exercise the powers of a High Court.

PART III.

LAWS.

(1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments of the Acts specified in the schedule to this notification, are, for the purposes of such cases as aforesaid, hereby applied to the said territories.

(2) Such portions of Foreign Department Notification No. 605-P., dated 28th March 1873, as are inconsistent with these orders are hereby cancelled.

SCHEDULE.

ACT OF THE GOVERNOR-GENERAL IN COUNCIL.

I.—Criminal.

Act XVIII of 1850 (Protection of Judicial Officers).
Act XLV of 1860 (Penal Code).
Act VI of 1864 (Whipping).
Act I of 1872 (Evidence).
Act X of 1882 (Criminal Procedure).

II.—Civil.

Act X of 1865 (Succession).
Act XIV of 1866 (Post Office).
Act VII of 1870 (Court-fees).
Act IX of 1872 (Contract).
Act XV of 1877 (Limitation).
Act V of 1881 (Probate and Administration).
Act XIV of 1882 (Civil Procedure).
Act XIII of 1885 (Telegraphs).
Act IX of 1887 (Provincial Small Cause Courts).
Act VI of 1888 (Debtors).
Act VII of 1889 (Succession Certificates).

H. M. DURAND,

Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATION.

STATISTICS AND COMMERCE.

CUSTOMS.

Simla, the 8th May 1891.

No. 1908.—In exercise of the powers conferred by section 23 of the Sea Customs Act VIII of 1878, the Governor-General in Council is pleased to direct the substitution of the subjoined clause for clause 7 of the Notification in the Finance and Commerce Department, No. 1864, dated 12th April 1889 :

7. A sword, a revolver, or a pair of pistols when accompanying an officer of Her Majesty's Regular Forces or a commissioned officer of a volunteer corps, or certified by the commandant of the corps to which such officer belongs or, in the case of an officer not attached to any corps by the officer commanding the station or district in which such officer is serving, to be imported by the officer for the purposes of his equipment.

J. F. FINLAY,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 6th May 1891.

No. 158.—Mr. J. E. Hilton, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as Superintending Engineer, with the rank of Superintending Engineer, 3rd Class, temporary rank, during the absence on furlough of Mr. H. A. S. Fenner, or until further orders.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, MAY 21, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 16TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Simla, the 14th May 1891.

No. 201.—Mr. T. Roberts has been permitted to resign Her Majesty's Indian Civil Service, with effect from the 1st April 1891.

JUDICIAL.

The 12*th May* 1891.

No. 676.—The services of Captain W. A. B. Dennys, 26th Punjab Infantry, officiating Cantonment Magistrate, Pesháwar, are replaced at the disposal of the Military Department, with effect from the forenoon of the 15th April 1891.

ECCLESIASTICAL.

The 12*th May* 1891.

No. 127.—The services of the Reverend C. Swynnerton, Chaplain, Hazára Field Force, are replaced at the disposal of the Government of the Punjab.

C. J. LYALL,

Secretary to the Government of India

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 12th May 1891.

No. 169.—The services of Colonel P. Lambert, R. E., Examiner of Public Works Accounts, on furlough, are replaced at the disposal of the Military Department, with effect from the 20th May 1891, under Article 684 of the Civil Service Regulations.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED MAY 16TH, 1891.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

MEANING OF THE TERM DOMICILED AS USED IN RULE 3 OF THE RULES FOR THE REGULATION OF APPOINTMENTS IN THE SECRETARIAT CLERICAL SERVICE OF THE GOVERNMENT OF INDIA AND ATTACHED OFFICES.

No. $\frac{\text{14-Pub.}}{\text{898-902.}}$

Extract from the Proceedings of the Government of India in the Home Department (Public),—under date Simla, the 14th May 1891.

Read—

Home Department Notification No. 1817, dated the 3rd July 1888, publishing rules for the regulation of appointments in the Secretariat clerical service of the Government of India and attached offices.

RESOLUTION.

By paragraph 3 of the Resolution cited in the preamble, it is provided that the examination of candidates for the Secretariat clerical service at Allahabad shall be confined to persons domiciled in the North-Western Provinces, Oudh, the Central Provinces, Rajputana, and Central India, and that at Lahore to persons domiciled in the Punjab and Biluchistan.

As some misapprehension appears to exist as to the meaning of the term domiciled in the paragraph just referred to, the Governor-General in Council considers it desirable to explain that the word is used in its ordinary legal sense,* and consequently that no person can be considered to be domiciled in any of the provinces enumerated unless he has fixed the habitation of himself and his family in that province, not for a mere special or temporary purpose, but with the intention of making it his permanent home. Candidates who desire to compete for vacancies offered for competition at Allahabad and Lahore will in future be required to prove to the satisfaction of the Secretary to the Board of Examiners that they are domiciled in one of the provinces, permanent residence in which would entitle them to appear at either of those centres. Natives of Bengal who are temporary

* *Vide* the Indian Succession Act, 1865, Part II.

residents of, and not domiciled in, any of the provinces enumerated in paragraph 3 of the Resolution of 3rd July 1888, will be permitted to present themselves at the examinations at Allahabad and Lahore, but they will be treated as competing for the vacancies offered at Calcutta, and not for those offered at Allahabad and Lahore.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the Governments of Bengal, North-Western Provinces and Oudh, and the Punjab for information; that a copy be forwraded to the Secretary to the Board of Examiners, Calcutta, for information and guidance; and that the Resolution be published in the Supplement of the *Gazette of India* for general information.

[True Extract.]

C. J. LYALL,

Secretary to the Government of India.

Government Gazette

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PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 23RD, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.—JUDICIAL

Simla, the 18th May 1891.

No. 721.—The services of Lieutenant C. L. M. Rich, Queen's Own Corps of Guides, are placed at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate, Meean Meer.

The 19th May, 1891.

No. 147.—Her Majesty's Secretary of State has permitted the Reverend T. L. J. Warneford, a Senior Chaplain on the Bengal Ecclesiastical Establishment, to retire from the service, with effect from the 28th June 1891.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

SEPARATE REVENUE.

STAMPS.

Simla, the 18th May 1891.

No. 2080.—In exercise of the powers conferred by section 8 of the Indian Stamp Act, I of 1879, the Governor-General in Council is pleased to remit the duty chargeable under the said Act on powers-of-attorney executed in favour of lambardárs or khatedárs by opium cultivators who do not attend personally to receive advances or to enter into contracts for the cultivation of opium.

The 22nd May 1891.

No. 2170.—In exercise of the powers conferred by sections nine, fifteen, seventeen, thirty-two, fifty-one, and fifty-six of the Indian Stamp Act, 1879, the Governor-General in Council is pleased to make the following rules in supersession of the rules promulgated by Notifications—

No.	1288,	dated the	3rd March 1882.
"	2955	"	1st December 1882.
"	1444	"	16th March 1883.
"	3515	"	16th October 1885.
"	434	"	28th January 1886.
"	590	"	5th May 1886.
"	1611	"	25th June 1886.
"	2727	"	24th August 1886.
"	5700	"	26th October 1887.
"	1662	"	14th November 1890.
"	5881	"	19th December 1890.

CHAPTER I.—*Preliminary.*

1. These rules shall come into force throughout British India on the date of this Notification.

2. All words and expressions used in these rules and defined in the Indian Stamp Act, 1879, shall be deemed to have the meanings attached to them respectively by the said Act.

3. There shall be two kinds of stamps for indicating the payment of duty on instruments under the Indian Stamp Act, 1879, namely—

(*a*) Impressed stamps, including—

Impressed sheets,—that is to say, sheets of paper bearing the impression of stamps of different values engraved thereon, and sold to the public for use by them in accordance with these rules; and

Impressed labels, to be affixed and impressed by Government officers as directed in Chapter III of these rules.

(*b*) Adhesive stamps sold to the public for use by them in accordance with these rules.

CHAPTER II.—*Of Impressed Sheets.*

4. (*a*) Hundís, other than hundís which can be stamped with an adhesive stamp under section 10 of the said Act, shall be written as follows :—

(1) Hundís payable otherwise than on demand, but not more than one year after date or sight, and for amounts not exceeding Rs. 30,000 in individual value, on impressed sheets bearing the word "Hundi";

(2) Hundís exceeding Rs. 30,000 in individual value, and hundís payable at more than one year after date or sight, on paper supplied for sale by the Government, and to which labels have been affixed by one of the officers mentioned in rule 10 (*b*), or by the Superintendent of Stamps, Calcutta, and impressed by him in manner provided by rule 10.

(*b*) Every sheet of such stamped paper shall be of a size not less than $8\frac{5}{8} \times 5\frac{1}{8}$ inches, and no plain paper shall be joined to it.

(*c*) The provisions in rule 7 (*a*) as to the use of two or more sheets of stamped paper when a single stamp of the required value is not procurable apply also to hundi stamps used under this rule.

5. Promissory notes and bills of exchange shall, except as provided by section 10 of the said Act and by these rules, be written on plain impressed sheets or on impressed sheets bearing the word "Hundi."

6. All other instruments chargeable with duty may be written on impressed sheets (other than impressed sheets bearing the word "Hundi"), and, except as provided by section 10 of the said Act and by these rules, shall be so written.

7. (*a*) When two or more impressed sheets are used to make up the amount of duty chargeable in respect of any instrument, a portion of such instrument shall be written on each sheet so used.

(*b*) When a single sheet (other than an impressed sheet bearing the word "Hundi") is found insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument; provided that in every such case the side of the sheet which bears the stamp must be covered by a substantial part of the instrument before any part of the latter can be written on the plain paper joined to such sheet.

(*c*) When any instrument of transfer of shares in a company or association is written on an impressed sheet, and the value impressed thereon is subsequently (in consequence of a rise in the market value of such shares) found to fall short of the amount of duty chargeable under Article 60 (*a*), schedule I of the Act, one or more adhesive "Share Transfer Stamps" hereinafter mentioned may be used to make up the required amount.

8. The duty payable on any instrument chargeable with a duty of one anna may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps at Calcutta, Bombay, Madras, Rangoon, or Lahore, or by the Commissioner of Stamps at Allahabad.

CHAPTER III.—*Of Impressed Labels.*

9. Impressed labels may be used for the following instruments and counterparts thereof, namely,—

(1) Administration-bonds;

(2) Affidavits;

(3) Appointments made in execution of a power;

(4) Articles of association of a company;

(5) Articles of clerkship;

(6) Bills-of-lading;

(7) Charter-parties;

(8) Declarations of trust;

(9) Instruments evidencing an agreement to secure the repayment of a loan made upon the deposit of title-deeds or other valuable security, or upon the hypothecation of moveable property;

(10) Leases printed or lithographed in an Oriental language when the written matter filled in does not exceed one-fourth of the printed matter;

(11) Memoranda of association of companies;

(12) Notes of protest;

(13) Policies of insurance;

(14) Revocations of trust;

(15) Share warrants issued by a Company in accordance with section 30 of the Indian Companies Act, 1882 (provided that any such share warrant issued previous to the 14th November 1890 and bearing an adhesive share transfer stamp denoting the full amount of duty payable on the warrant shall be held to have been duly stamped);

(16) Warrants for goods;

and for the following, when written in any European language, provided that any instrument written in any European language other than English shall have attached to it a translation in the English language:

(17) Agreements or memoranda of agreements which, in the opinion of the officer empowered to affix the label, cannot conveniently be written on impressed sheets;

(18) Instruments engrossed on parchment and written in the English style which, in the opinion of such officer, cannot conveniently be written on impressed sheets;

(19) Awards;

(20) Bills-of-exchange payable otherwise than on demand and drawn in British India;

(21) Bonds;

(22) Certificates of sale;

(23) Composition-deeds;

(24) Conveyances;

(25) Instruments imposing a further charge on mortgaged property;

(26) Instruments of apprenticeship;

(27) Instruments of co-partnership;

(28) Instruments of dissolution of partnership;

(29) Instruments of exchange;

(30) Instruments of gift;

(31) Instruments of partition;

(32) Leases;

(33) Letters of license;

(34) Mortgage-deeds;

(35) Powers-of-attorney;

(36) Reconveyances of mortgaged property;

(37) Releases;

(38) Settlements;

(39) Transfers of the description mentioned in Article No. 60, clauses (*b*), (*c*) and (*d*), of the first schedule of the said Act.

10. The following officers are empowered to affix these labels to the instruments mentioned in rule 9, namely,—

(*a*) the Collectors of Calcutta and Karachi and the Hazur Deputy Collector Karachi, when the Collector is absent from head-quarters;

(*b*) the Superintendents of Stamps at Madras, Bombay, Lahore, Rangoon, Moulmein, and Akyab;

(*c*) the Commissioner of Stamps, North-Western Provinces and Oudh;

(*d*) the Superintendent of Stamps (Political Resident), Aden.

11. (*a*) Every such officer shall, upon any instrument mentioned in rule 9 being brought to him before it is executed, and application being made to him for that purpose, affix thereto a label or labels of such value as the applicant may desire and pay for, and impress such label or labels by means of a stamping-machine, and also stamp or write on the face of the label or labels the date of impressing the label or labels before returning the instrument to the applicant. In the case of instruments written on parchment, the labels must be further secured by metallic eyelets.

(*b*) When the stamp duty amounts to five rupees or upwards, such officer, or some principal assistant of such officer appointed by the Local Government from time to time in this behalf, shall further write on the face of the label or labels his initials, and, when the stamp duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the labels.

In Calcutta the Deputy Collector and the Superintendent of the Stamp Department of the Collector's office, as well as the Collector, are empowered to initial any label or labels, and to attach their usual signatures to any instrument immediately under the labels.

The Superintendent in the office of the Superintendent of Stamps, Lahore, is empowered to initial any label or labels, and to attach his usual signature to any instrument immediately under the labels, during the absence of the Superintendent of Stamps from Lahore.

12. (*a*) The payment of duty on instruments (other than instruments which, under section 10 of the said Act, may be stamped with adhesive stamps) executed out of British India, and requiring to be stamped after their receipt in British India, shall be indicated only by impressed labels.

(*b*) When any such instrument is taken to the Collector under section 17 of the said Act, the Collector, unless he be Collector of Calcutta or Karachi, shall send the instrument to one of the officers mentioned in rule 10, remitting the amount of duty paid in respect of such instrument; and such officer shall stamp the instrument in the manner prescribed by rules 11 (*a*) and 11 (*b*), and return the same to the Collector for delivery to the person by whom it was produced.

CHAPTER IV.—*Adhesive Stamps.*

13. Bills-of-exchange payable otherwise than on demand and drawn in sets, when the amount of stamp duty does not exceed one anna for each part of the set, may be stamped with adhesive stamps.

14. Except as otherwise provided in these rules, the adhesive stamp used to denote the duty of one anna shall bear the words "one anna."

15. The following instruments when stamped with adhesive stamps shall be stamped as follows :—

(*a*) Bills-of-exchange, cheques, and promissory notes drawn or made out of British India, and chargeable with a duty of more than one anna, with adhesive stamps bearing the words "Foreign Bill."

(*b*) Transfers of shares of public companies and associations, with adhesive stamps bearing the words "Share Transfer."

(*c*) An entry as an advocate, vakil, or attorney on the roll of any High Court, with an adhesive stamp bearing the word "Advocate," "Vakil," or "Attorney."

(Such stamp shall be affixed under the superintendence and responsibility of a gazetted officer of the High Court, who shall obtain the stamp from the Superintendent of Stamps and account to him for it. The gazetted officer who affixes the stamp shall write on the face of it his usual signature and the date of signature before parting with the instrument.)

(*d*) Notarial Acts, with adhesive foreign bill stamps bearing the word "Notarial" printed over them.

CHAPTER V.—*Miscellaneous.*

16. When it is necessary, under section 15 of the said Act, to denote upon one instrument the payment of duty in respect of another, such payment shall be denoted by an endorsement under the hand of the Collector on the former instrument.

17. Every payment made under section 30 of the said Act shall be made in cash.

18. The Collector may require every person claiming a refund or renewal under Chapter VI of the said Act, or his duly authorized agent, to make an oral deposition on oath or affirmation, or to put in an affidavit, setting forth the circumstances under which the claim has arisen. The Collector may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in the deposition or affidavit of the claimant or his agent.

19. Any Magistrate convicting or trying an offender under Chapter VIII of the said Act may grant to any person who may have contributed to the conviction a reward within a limit to be fixed by the Local Government.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 22nd May 1891.

VOLUNTEER CORPS.

PROMOTIONS.

No. 525.—3rd Punjab (North-Western Railway) Volunteer Rifle Corps—

Second-Lieutenant Philip Gordon Murray to be Lieutenant, with effect from the 27th April 1891, *vice* Lieutenant Siddle, appointed Paymaster.

E. H. H. COLLEN,

Secretary to the Government of India.

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PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA" EXTRAORDINARY, DATED MAY 30TH, 1891.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 30th May 1891.

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khan Bahadur as a personal distinction upon :—

* * * * * *

Munshi Ghulam Farid, Extra Assistant Settlement Officer in the Punjab.

Shekh Nanak Bakhsh, Member and late Vice-President of the Municipal Committee of Lahore in the Punjab.

Raja Sultan Khan, Chib, of Pothi in the Gujrat District in the Punjab.

Malik Fatteh Khan, Tiwana, of the Shahpur District in the Punjab.

* * * * * *

His Excellency the Viceroy and Governor-General is pleased to confer the title of Rai Bahadur as a personal distinction upon :—

* * * * * *

Munshi Bhagwan Das, Extra Assistant Settlement Officer in the Punjab.

Lala Mehr Chand, Assistant Surgeon in the Punjab and Honorary Assistant Surgeon to His Excellency the Viceroy.

Lala Fakir Chand, Honorary Magistrate of Amritsar in the Punjab.

* * * * * *

His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Sahib as a personal distinction upon:—

* * * *

Fazl Karim Khan, Vice-President of the Municipal Committee of Jullundur in the Punjab.

* * * *

His Excellency the Viceroy and Governor-General is pleased to confer the designation of Honorary Assistant Commissioner as a personal distinction upon:—

Munshi Ganga Ram, Extra Assistant Commissioner in the Punjab.

Kazi Ghulam Murtaza, Extra Assistant Commissioner in the Punjab.

H. M. DURAND,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED MAY 30TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.—PUBLIC.

Simla, the 25th May 1891.

No. 963.—It is hereby notified for general information that the Meteorological Reporter to the Government of India will take rank in the first class of the supplementary graded list of civil offices not reserved for members of the Civil Service of India published with the Warrant of Precedence for India in Home Department Notification No. 2032, dated the 1st November 1877—that is to say, in Article 57 of the said Warrant.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

PROMOTIONS.

Simla, the 29th May 1891.

No. 539.—The following promotions are made, subject to Her Majesty's approval:

STAFF CORPS.

To be Lieutenant-Colonels—26th May 1891.

Major Charles Frederick Massy.

* * * *

E. H. H. COLLEN,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JUNE 11, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 30TH, 1891.

MILITARY DEPARTMENT.

Simla, the 29th May 1891.

FURLOUGH AND LEAVE.

No. 535.—Conductor R. Straughan, Sub-Engineer, 3rd Grade, Public Works Department, Punjab, has been granted by the Secretary of State for India an extension of furlough (m. c.) for five months.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 29th May 1891.

No. 195.—Mr. P. J. Creameor, Deputy Examiner, 2nd Grade, temporary rank, attached to the Office of the Secretary to the Government of India, Public Works Department, is retransferred to the Office of the Examiner of Public Works Accounts, Punjab, as Officiating Deputy Examiner.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, THURSDAY, JUNE 25, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE 20TH, 1891.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 16th June 1891.

No. 18.—His Excellency the Governor-General, under the authority vested in him by the Statute 24 & 25 Vict., Chap. 67, Section 10, has been pleased to nominate Mr. W. H. Rattigan, M.A., LL.D., Barrister-at-Law, to be an Additional Member of the Council of the Governor-General for the purpose of making Laws and Regulations.

S. HARVEY JAMES,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 19th June 1891.

PROMOTIONS.

No. 598.—The following promotions are made, subject to Her Majesty's approval :—

MEDICAL DEPARTMENT.

Surgeons-Major to be Brigade-Surgeons.

* * * * * * * *

W. P. Warburton, M.D., *vice* Brigade-Surgeon W. Moir, retired. Dated 1st April 1891.

* * * * * * *

VOLUNTEER CORPS.

APPOINTMENTS.

* * * * * * * *

No. 605.—*3rd Punjab (North-Western Railway) Volunteer Rifle Corps*—

Mr. Charles FitzWilliam White to be Second-Lieutenant, with effect from the 17th April 1891, *vice* Bean, promoted.

* * * * * * * *

RESIGNATIONS.

* * * * * * * *

No. 608.—*1st Punjab Volunteer Rifle Corps*—

Captain Alweyne Turner resigns his Commission.

* * * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 2, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JUNE 20TH, 1891.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

Extract from the Proceedings of the Government of India, Legislative Department, No. 1134, dated the 18th June 1891.

READ the following paper :—

Despatch from Her Majesty's Secretary of State for India, No. 14, dated 14th May 1891 :—

I HAVE to acknowledge the receipt of Your Excellency's Despatch No. 11, dated the 8th of April 1891, transmitting an authentic copy of the Law noted in the margin, which has been passed by the Council of the Governor-General of India for making Laws and Regulations, and to which Your Excellency has signified your assent.

Act [No. X of 1891] to amend the Indian Penal Code and the Code of Criminal Procedure, 1882.

2. I have to inform you that I have considered the Act in Council, and that it will be left to its operation.

RESOLUTION.—The Governor-General in Council has been pleased to direct that the above despatch be published in the *Gazette of India* and in the local official Gazettes for general information.

ORDER.—Ordered that this Resolution be published in the *Gazette of India* and communicated to the Local Governments and Administrations noted in the margin, for publication in the local official Gazettes, and to the Chief Commissioners of Ajmere-Merwara and British Balúchistán for information.

Madras.
Bombay.
Bengal.
North-Western Provinces and Oudh.
Punjab.
Central Provinces.
Burma.
Assam.
Coorg.
Andaman and Nicobar Islands.

S. HARVEY JAMES,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JUNE 27TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 23rd June 1891.

No. 224.—Lieutenant-Colonel J. F. J. Miller, S. C., Executive Engineer, 1st Grade, Punjab, was promoted to Superintending Engineer, 3rd Class, temporary rank, from 24th October 1890 to 9th November 1890, both days inclusive.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 9, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 4TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

EXAMINATIONS.

Simla, the 3rd July 1891.

No. 48.—The following Regulations respecting the examination of candidates for the Civil Service of India to be held in August 1892 are published for general information in supersession of the Regulation published with Home Department Notification No. 71, dated the 10th October 1890:—

COPIES OF THESE REGULATIONS AND THE FORM OF APPLICATION MAY BE OBTAINED ON APPLICATION TO THE SECRETARY TO THE GOVERNMENT OF INDIA, HOME DEPARTMENT.

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

REGULATIONS FOR THE OPEN COMPETITION OF AUGUST 1892.

N. B.—The Regulations are liable to be altered in future years.

1. On the 1st August 1892 and following days, an Examination open to all qualified persons will be held in London (*a*). Not fewer than 32 persons will be selected, if so many shall be found duly qualified: *viz.*, 7 for the Lower Provinces of Bengal (including Assam); 14 for the Upper Provinces of Bengal (including the Punjab, Oudh, and the Central Provinces); 2 for Burma; 5 for Madras, and 4 for Bombay (*b*).

(*a*) An order for admission to the Examination will be sent to each Candidate on the 18th July 1892.

(*b*) For the method of distribution, *see* No. 1 of the announcements on page 94.

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners—

(i) that he is a natural-born subject of Her Majesty;

(ii) that his age will be above twenty-one years and under twenty-three years on the 1st April 1892;

[*N. B.—In the case of Natives of India* (*i*) *and* (*ii*) *must be certified by the Government of India, or of the Presidency or Province in which the Candidate may have resided.*]

(iii) that he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India;

(iv) that he is of good moral character.

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate on payment of the prescribed fee (*c*) will be admitted to the Examination. The Commissioners may, however, in their discretion at any time prior to the grant of the Certificate of Qualification hereinafter referred to institute such further enquiries as they may deem necessary; and if the result of such enquiries, in the case of any Candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India, and, if already selected, will be removed from the position of a Probationer.

4. The open Competitive Examination will take place only in the following branches of knowledge:

		Marks.
French Language and Literature		500
German ditto ditto		500
English ditto ditto (including special period named by the Commissioners) (*d*)		500
Sanskrit Language and Literature		500
Arabic ditto ditto		500
English Composition		500
Greek Language and Literature		750
Latin ditto ditto		750
Mathematics (Pure and Applied)		900
Advanced Mathematical subjects (Pure and Applied)		900
Natural Science, *i.e.*, any number not exceeding *three* of the following subjects:		
Elementary Chemistry and Elementary Physics	600	1,800
(*N. B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics.)		
Higher Chemistry	600	
Higher Physics	600	
Geology	600	
Botany	600	
Zoology	600	
Animal Physiology	600	
English History		500
Greek History (Ancient, including Constitution)		400
Roman History (ditto ditto)		400
General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History) (*e*)		500
Political Economy and Economic History		500
Logic and Mental Philosophy (Ancient and Modern)		400
Moral Philosophy (Ancient and Modern)		400
Roman Law		500
English Law, *viz.*, Law of Contract, Criminal Law, Law of Evidence, and Law of the Constitution		500
Political Science (including Analytical Jurisprudence, the Early History of Institutions, and Theory of Legislation)		500

Candidates are at liberty to name any or all of these branches of knowledge (*f*). No subjects are obligatory.

5. The merit of the persons examined will be estimated by marks; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

(*c*) The fee (£ 5) will be payable by means of a special stamp according to instructions which will be communicated to Candidates.

(*d*) In the syllabus referred to in Note (*f*) below.

(*e*) *See* Note (*f*).

(*f*) A syllabus defining in general terms the character of Examination in the various subjects may be obtained on application to the Secretary, Civil Service Commission.

6. The marks assigned to Candidates in each branch will be subject to such deduction as the Civil Service Commissioners may deem necessary *(g)* in order to secure that "a Candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

7. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary.

8. The marks obtained by each Candidate in respect of each of the subjects in which he shall have been examined will be added up, and the names of the several Candidates who shall have obtained after the deduction above-mentioned a greater aggregate number of marks than any of the remaining Candidates will be set forth in order of merit, and such Candidates shall be deemed to be selected Candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the selected Candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In the former case the Candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a selected Candidate. A Candidate entitled to be deemed a selected Candidate, but declining to accept the nomination as such, which may be offered to him, will be disqualified for any consequent competition.

9. Selected Candidates before proceeding to India will be on probation for one year, at the end of which time they will be examined with a view of testing their progress in the following subjects *(h)*:—

Compulsory—

		Marks.
1.	Indian Penal Code and Criminal Procedure Code, 1882	500
2.	The principal Vernacular Language of the Province to which the Candidate is assigned	400
3.	History of British India	300

Optional—[Not more than two of these subjects.]

1.	The Code of Civil Procedure, 1882, and the Indian Law of Contract, 1872	450
2.	Hindu and Muhammadan Law	350
*3.	Sanskrit	400
*4.	Arabic	400
5.	Persian	400
*6.	Political Economy	400

* These subjects may not be offered by any Candidate who has offered them at the previous examination.

In this Examination, as in the open competition, the merit of the Candidates examined will be estimated by marks (which will be subject to deductions in the same way as the marks assigned at the open competition), and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it at any one Examination. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary. This Examination will be held at the close of the year of probation, and will be called the "*Final Examination.*"

10. Candidates will be tested during their probation as to their ability to perform journeys on horseback; and no Candidate will be deemed qualified for the Civil Service of India who fails to satisfy the Civil Service Commissioners of his competence in this respect.

11. The selected Candidates who at the Final Examination shall be found to have a competent knowledge of the subjects specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, character, and ability to ride, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the regulations in force at the time for that service.

12. Persons desirous to be admitted as Candidates must apply on Forms which may be obtained from "The Secretary, Civil Service Commission, London, S. W.," at any time after the 1st December 1891. The Forms must be returned so as to be received at the office of the Civil Service Commissioners on or before 31st May 1892 *(i)*.

(g) Marks assigned in English Composition and Mathematics will be subject to no deduction. Each science will for the purpose of deduction be treated as a separate subject.

(h) A syllabus showing the extent of the examination will be issued to the successful Candidates as soon as possible after the result of the Open Competition is declared.

(i) These forms should be accompanied by evidence on the points mentioned in Regulation 2, and by a list of the subjects in which the Candidate desires to be examined. Evidence of health and character must bear date not earlier than 1st May 1892. Applications for leave to alter or add to the list of subjects named will not be entertained unless received on or before the 5th July 1892.

The Civil Service Commissioners are authorized by the Secretary of State for India in Council to make the following announcements :—

(i) *As regards the distribution of the selected Candidates to the several Presidencies and Provinces mentioned in Regulation 1, the selected Candidates will be divided into four groups, each containing 8 Candidates, according to the order in which they stand on the list resulting from the Open Competition (the first 8 in order of merit composing Group No. 1, the next 8 in order of merit composing Group No. 2, and so on), and the members of each group will be allowed in the order in which they stand, each to choose, so long as a choice remains, one of the appointments allotted to that group, as indicated in the following table :*

	Appointments allotted to—				
	1st Group, 1—8.	*2nd Group, 9—16.*	*3rd Group, 17—24.*	*4th Group, 25—32.*	*Total.*
Upper Provinces, &c.	3	4	3	4	14
Lower Provinces and Assam	2	2	2	1	7
Madras	1	1	1	2	5
Bombay	1	1	1	1	4
Burma	1	...	1	...	2
	8	8	8	8	32

The choice thus given, however, will be subject to any other arrangement which the Secretary of State or the Government of India may deem necessary.

(ii) *Should any appointments have to be made in excess of the 32 notified in the Regulations, they will be added to such group or groups as to the Secretary of State may seem proper.*

(iii) *No exchange of appointments will be permitted between selected Candidates who under para. I have made their choice of Presidency or Province, except between those who are members of the same group or of two adjoining groups, or who are separated by not more than 14 others in the order of merit on the result of the Open Competition. Application for permission to exchange appointments must be made to the Secretary of State within one month after the date of choice made under para. I, and in no case will an exchange be permitted unless it is, in the opinion of the Secretary of State, desirable in the public interest that it should be made.*

(iv) *The giving or receiving directly or indirectly any money or other valuable consideration for an exchange will be deemed to vacate the selection and appointment of the candidates interested.*

(v) *Selected Candidates will be required to report their arrival in India within such period after the grant of their Certificate of Qualification as the Secretary of State may in each case direct.*

(vi) *The seniority in the Civil Service of India of the Selected Candidates will be determined according to the order in which they stand on the list resulting from the combined marks of the Open Competitive and Final Examinations. Candidates selected under these Regulations in 1892 will, in view of the alteration in the limits of age, have seniority over the Candidates selected under the previous Regulations in 1891.*

(vii) *An allowance amounting to £100 will be given to all Candidates who pass their probation at one of the Universities or Colleges which have been approved by the Secretary of State, viz., the Universities of Oxford, Cambridge, Dublin, Glasgow, Edinburgh, St. Andrew's, and Aberdeen; University College, London; and King's College, London: provided such Candidates shall have passed the Final Examination to the satisfaction of the Civil Service Commissioners, and shall have complied with such rules as may be laid down for the guidance of Selected Candidates.*

(viii) *The allowance of £100 will not be paid to any Selected Candidate until he has been certified by the Civil Service Commissioners to be entitled to be appointed to the Civil Service of India; and every Certificated Candidate must, before receiving his allowance, attend at the India Office and give a written undertaking to refund the amount in the event of his failing to proceed to India.*

(ix) *All Candidates obtaining Certificates will be also required to enter into covenants, by which, amongst other things, they will bind themselves to agree to such Regulations for the provision of pensions for their families as may be approved by the Secretary of State for India in Council. The stamps payable on these covenants amount to £1.*

(x) *Candidates rejected at the Final Examination of 1893 will in no case be allowed to present themselves for re-examination.*

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

SYLLABUS

Showing the extent of the Examination in certain subjects at the Open Competition for admission into the Indian Civil Service in **1892.**

The Regulations governing the Open Competition for admission into the Indian Civil Service have been framed with a view to the principle regarded by Lord Macaulay's Committee in 1854 as essential, *viz*, that the object of the Competition should be to secure for the Indian Civil Service officers who "have received the best, the most liberal, the most finished education that their native country affords." The scheme of examination has accordingly been made to embrace most of the subjects of the Honour Schools in the Universities of Great Britain and Ireland. In administering the scheme, the Civil Service Commissioners, concurring with Lord Macaulay's Committee in the opinion "that no Candidate who may fail should, to whatever calling he may betake himself, have any reason to regret the time and labour which he has spent in preparing himself to be examined," desire to avoid all disturbance of the general course of University studies, and to render it possible, with due regard for the principle of Open Competition, for those who have graduated with honours at the Universities, to attend the examination for the Indian Civil Service with good prospects of success. The appended Syllabus shows in outline the intentions of the Commissioners with regard to the extent and character of the examination in those subjects which seem to require further definition. The scope of the examination in the subjects not mentioned in the Syllabus is sufficiently defined in the scheme published in the Regulations themselves. The Examiners will be instructed to keep the standard in each subject up to the level of the highest course of study pursued in the Universities.

English Composition.—An Essay to be written on one of several subjects specified by the Civil Service Commissioners on their Examination Paper.

English Language and Literature.—The Examination will be in two parts. In the one the Candidates will be expected to show a general acquaintance with the course of English Literature, as represented (mainly) by the following writers in verse and prose between the reign of Edward III and the accession of Queen Victoria :

Verse—Chaucer, Langland, Spenser, Shakespeare, Milton, Dryden, Pope, Gray, Collins, Johnson, Goldsmith, Crabbe, Cowper, Campbell, Wordsworth, Scott, Byron, Coleridge, Shelley, Keats.

Prose—Bacon, Sir Thomas Browne, Milton, Swift, Defoe, Addison, Johnson, Burke, Scott, Southey.

A minute knowledge of the works of these authors will not be looked for in this part of the Examination, which will, however, test how far the Candidates have studied the chief productions of the greatest English writers *in themselves*, and are acquainted with the leading characteristics of their thought and style, and with the place which each of them occupies in the history of English literature. Candidates will also be expected to show that they have studied in these authors the history of the English language in respect of its vocabulary, syntax, and prosody.

The other part of the Examination will relate to one of the periods named below, which will follow each other year by year in the order indicated :

1. (1892)	A.D. 1340 to A.D. 1600 [Chaucer to Spenser]
2. (1893)	A.D. 1600 to A.D. 1700 [Shakespeare to Dryden]
3. (1894)	A.D. 1700 to A.D. 1800 [Pope to Cowper]
4. (1895)	A.D. 1800 to A.D. 1832 [Nineteenth Century writers to the death of Scott.]

The examination in this part will require from Candidates a more minute acquaintance with the history of the English language and literature as illustrated in the chief works produced in each period, and will be based to a considerable extent, but by no means exclusively, on certain books specified each year by the Commissioners.* The names placed under the dates are intended to suggest the general character

* The books for 1892 are :—

Chaucer : Prologue to the Canterbury Tales ; The Flower and the Leaf ; The Assembly of Foules Minor Poems.

Langland : Vision of Piers Plowman.

Spenser : Faery Queen. Books I, II ; Shepherd's Kalendar.

Sir John Mandeville's Travels.

Sir Thomas More's Utopia.

of the literary development of the period, and consequently the natural limits of the Examination. All the works of Shakespeare, for example, will be regarded as falling within the second period; all the works of Swift within the third; all the works of Scott and Wordsworth within the last.

French Language and Literature.—Translation from French into English and from English into French; Critical questions on the French Language and Literature.

German Language and Literature.—As in French.

Latin Language and Literature.—Translation from Latin into English; Composition in Prose and Verse (in the place of the latter may be taken, by those who prefer it, a paper of critical questions on the style of the Latin orators and poets, based on Cicero, De Oratore, and Quintilian, Institutiones Oratoriæ Lib. X.); Critical Questions on the Latin Language and Literature.

Greek Language and Literature.—Translation from Greek into English. Composition in Prose and Verse (in the place of the latter may be taken, by those who prefer it, a paper of critical questions on the style of the Greek orators and poets, based on Aristotle's Rhetoric (Book iii) and Poetic). Critical Questions on the Greek Language and Literature.

Sanskrit Language and Literature.—Translation from Sanskrit into English and from English into Sanskrit. History of Sanskrit Literature (including knowledge of such Indian history as bears upon the subject); Sanskrit Grammar; Vedic Philology.

Arabic Language and Literature.—Translations as in Sanskrit; History of Arabic Literature; Arabic Grammar; Arabic Prosody.

English History.—General questions on English History from A.D. 800 to A.D. 1848; questions on the Constitutional History of England from A.D. 800 to A.D. 1848.

Questions covering the whole period named will be set, but Candidates will be allowed to attempt only a limited number of them.

General Modern History.—Candidates may, at their choice, be examined in any one of the following periods:

1. From the accession of Charlemagne to the Third Crusade. [A.D. 800 to A.D. 1193.]
2. From the Third Crusade to the Diet of Worms. [A.D. 1193 to A.D. 1521.]
3. From the Diet of Worms to the end of the reign of Louis XIV. [A.D. 1521 to A.D. 1715.]
4. From the accession of Louis XV to the French Revolution of 1848 [A.D. 1715 to A.D. 1848.]

Periods 3 and 4 will include Indian History.

Greek History.—Questions on the General History of Greece to the death of Alexander; questions on the Constitutional History of Greece during the same period.

Roman History.—Questions on the General History of Rome to the death of Vespasian; questions on the Constitutional History of Rome during the same period.

In Greek and Roman History candidates will be expected to show a knowledge of the original authorities. Questions covering the whole period named will be set, but candidates will be allowed to attempt only a limited number of them.

Mathematics.—Pure Mathematics:—Algebra, Geometry (Euclid and Geometrical Conic Sections), Plane Trigonometry, Plane Analytical Geometry (less advanced portions), Differential Calculus (Elementary), Integral Calculus (Elementary).

Applied Mathematics:—Statics, Dynamics of a Particle, Hydrostatics, Geometrical Optics; all treated without the aid of the Differential or Integral Calculus.

Advanced Mathematics.—Pure Mathematics:—Higher Algebra, including Theory of Equations, Plane and Spherical Trigonometry, Differential Calculus, Integral Calculus, Differential Equations, Analytical Geometry, Plane and Solid.

Applied Mathematics:—Statics, including Attractions, Dynamics of a Particle, Rigid Dynamics, Hydromechanics, Geometrical and Physical Optics, Geometrical and Physical Astronomy, excluding the Planetary Theory.

Political Economy and Economic History.—Candidates will be expected to possess a knowledge of economic theory as treated in the larger text books; also a knowledge of the existing economic conditions and of statistical methods as applied to economic inquiries, together with a general knowledge of the history of industry, land tenure, and economic legislation in the United Kingdom.

Logic and Mental Philosophy (Ancient and Modern).—Logic will include both Deductive and Inductive Logic.

Mental Philosophy will include Psychology and Metaphysics.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1892.

FORM OF APPLICATION TO BE FILLED UP BY THE CANDIDATE HIMSELF.

The order for admission to the Examination will not be issued unless this Form, filled up by the Candidate himself, is received at the Office of the Civil Service Commission on or before the 31*st May* 1892.

Date————

SIR,

Being desirous to offer myself as a Candidate at the Examination for the Civil Service of India, which is appointed to commence on the 1st of August 1892, I transmit herewith, as required by the Regulations,—

If a General Register certificate cannot be ob-, the instructions printed other side will show what ce should be supplied. If ce is already in the hands Commissioners, strike out rtificate of my birth," and "Evidence is already in ssession of the Commis-s."

(1) A certificate of my birth, showing that I was born on the day of 18 , and that therefore my age was above 21 years and under 23 years on the 1st of April 1892.

The terms indicated must r in the certificate, which be given after personal nation, and bear date not than 1st May 1892.

(2) A certificate signed by

of my having no disease, constitutional affection, or bodily infirmity unfitting me, or likely to unfit me, for the Civil Service of India.

Two testimonials must be earing date not earlier than Iay 1892. One of them be given by an intimate ntance (not a relative) of s than three or four years' ng; the other, if the can- has recently left school, be given by his late master, or, if he has had ment of any kind, by his ployer. If the candidate een at any University, he send a certificate of good t from his College tutor.

(3) Proof of my moral character, *viz.*,—

(1) A testimonial from

(2) A testimonial from

This should be given on rm attached.

(4) A statement of the branches of knowledge in which I desire to be examined.

I have also to state, with reference to section 2, clause (i), of the Regulations, that I am a natural-born subject of Her Majesty.

I am,

SIR,

Your obedient Servant,

Name in full

*Address to which you wish the Order for admission to the Examination to be sent.**

Note (a) on Regulations.

Date————

THE SECRETARY,

Civil Service Commission,

London, S.W.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I. Every Candidate born in the United Kingdom should produce a Certificate from the Registrar-General of Births, Marriages, and Deaths, or from one of his provincial officers. This Certificate may be obtained from the Registrar-General in London, Dublin, or Edinburgh, or from the Superintendent Registrar of the District in which the birth took place.

II. A Candidate born of European parents in India may produce a certificate of Baptism from the district in which he was baptised. When such certificates are not in the possession of the candidates, an extract from the Registers kept at the India Office will probably be obtainable.

III. A Candidate who is a Native of India must have his age and nationality certified by the Government of India, or of the Presidency or Province in which he may have resided.

[*No Certificates except those issued under Notification of the Government of India, No. 2252, dated 21st August 1888, will be accepted for this competition.*]

Except as noted in paragraphs II and III, every Candidate is expected to produce a Certificate of *Birth*. The Civil Service Commissioners will not in ordinary cases accept a Certificate of Baptism or other testimony unless they are first satisfied that a Certificate of Birth cannot be procured.

Official Certificates of Birth may generally be obtained as follows :

(*a*) *For persons born in England or Wales since 30th June* 1837.—From the Registrar-General, Somerset House, London, or from the Superintendent Registrar of the district in which the birth took place.

(*b*) *For persons born in Scotland since* 31*st December* 1854.—From the General Register Office, Edinburgh, or from the Registrar of the parish or district in which the birth took place.

(*c*) *For persons born in Ireland since* 31*st December* 1863.—From the General Register Office, Dublin, or from the Superintendent Registrar of the district in which the birth took place.

(*d*) *For persons of English, Scottish, or Irish parentage born on board British ships since the dates mentioned in (a), (b), and (c) respectively.*—From the General Register Office, London, Edinburgh, or Dublin, according to parentage.

(*e*) *For persons born in India of European parents.*—From the India Office, London.

Any Candidate who cannot produce a Certificate of Birth from one of the authorities named should, if possible, procure a Certificate of Baptism, and should then apply to the Secretary, Civil Service Commission, for further instructions.

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1892.

SELECTION OF SUBJECTS TO BE FILLED UP AND RETURNED WITH THE FORM OF APPLICATION.

*** *Place your Initials against the Subjects which you select, and sign your name in the place indicated on the next page.*

INITIALS.		
....	English Composition.	
....	English History.	
....	English Literature.	
....	Greek.	
....	Latin.	
....	French.	
....	German.	
....	Mathematics.	
....	Advanced Mathematical Subjects.	
....	Natural Science, *viz.*,—	
....	Elementary Chemistry and Elementary Physics.	Only three of these may be taken up.
....	Higher Chemistry.	
....	Higher Physics.	
....	Geology.	
....	Botany.	
....	Zoology.	
....	Animal Physiology.	
....	Sanskrit.	
....	Arabic.	
....	Greek History.	
....	Roman History.	
....	General Modern History.	
....	Period ____________	
....	Political Economy and Economic History.	
....	Logic and Mental Philosophy.	
....	Moral Philosophy.	
....	Roman Law.	
....	English Law.	
....	Political Science.	

In addition to the Written Examination there will be Oral Examinations in every subject except English Composition; and in each of the seven heads of Natural Science there will also be a Practical Examination.

The Oral Examinations in Modern Languages being intended as colloquial *tests, no marks will be given at them to Candidates who are not able to converse.*

Any Candidate who wishes to decline *the Oral Examination or the Practical Examination in any of the subjects selected by him should state this in the blank space below :*

*Signature*____________________________________

*Date*____________________________________

TO THE SECRETARY,

Civil Service Commission,

London, S. W.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 3rd July 1891.

FURLOUGH AND LEAVE.

No. 638.—The undermentioned officers are granted furlough out of India:

*   *   *   *   *   *   *   *

Captain J. H. Christie, Staff Corps, 35th (Sikh) Regiment of Bengal Infantry, Cantonment Magistrate, 2nd class, Punjab, (m.c.) for nine months—163 days under Rule I, and the remaining period under Rule VI of the regulations of 1875.

VOLUNTEER CORPS.

PROMOTIONS.

No. 654.—3rd Punjab (North-Western Railway) Volunteer Rifle Corps—

Captain Edward Fountain Jacob to be Major, with effect from the 1st May 1891, *vice* Rutherford, transferred to the supernumerary list.

Captain Richard Tickner to be Major, with effect from the 1st March 1891, *vice* Wilson, promoted.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 16, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 11TH, 1891.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 10th July 1891.

No. 20.—In exercise of the power conferred by the Statute 24 and 25 Vict., Chap. 67, Section 17, the Governor-General in Council has been pleased to appoint Thursday, the 16th instant, at 11 A.M., as the time, and the Council Chamber in the Viceregal Lodge, Simla, as the place, for a meeting of the Council of the Governor-General for the purpose of making Laws and Regulations.

S. HARVEY JAMES,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Simla, the 9th July 1891.

No. 951.—The services of Lieutenant E. Waller, 19th (Punjab) Native Infantry, are placed at the disposal of the Punjab Government for employment as Officiating Cantonment Magistrate, Siálkot.

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 10th July 1891.

LONDON GAZETTE.

No. 664.—The following extracts are published for general information :—

" London Gazette," dated the 12th June 1891, *page* 3118.

INDIA OFFICE,

12th June 1891.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Military Forces, and of admissions to the Staff Corps made by the Governments in India :

* * * * * * * *

BENGAL MEDICAL ESTABLISHMENT.

Surgeons to be Surgeons-Major. Dated 31st March 1891.

Francis Frederic Perry.

* * * * * * * *

Stephen Little, M.D.

* * * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th July 1891.

No. 241.—Mr. T. Higham, Superintending Engineer, 1st Class, temporary rank, Punjab, is appointed to officiate as Chief Engineer of Irrigation and Joint-Secretary to that Government in the Public Works Department, with the rank of Officiating Chief Engineer, 3rd Class, during the absence on furlough of Lieutenant-Colonel J. W. Ottley, R.E., or until further orders.

No. 242.—With reference to Public Works Department Notification No. 241, dated 9th July 1891, Mr. E. A. Sibold, Executive Engineer, 1st Grade, Punjab, is appointed to officiate as Superintending Engineer, *vice* Mr. T. Higham.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 23, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 18TH, 1891.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 15*th July* 1891.

No. 2935-*I*.—I. In exercise of the powers conferred by Section 13 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor-General in Council is pleased to appoint the person for the time being holding the office of Chaplain of Srinagar and the senior member for the time being of the Church Missionary Society at Srinagar to be for all places within the territories of His Highness the Mahárája of Jamu and Kashmir Registrars of Births and Deaths in respect of those classes of the community indicated in Section 11, sub-section (1), clause (*b*), of the said Act, for which they are in the habit of officiating at baptisms and burials.

II. The Notification of the Government of India in the Foreign Department, No. 1586-I., dated the 12th May 1890, is hereby cancelled.

H. M. DURAND,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 15*th July* 1891.

No. 2988.—Mr. P. Sheridan, Deputy Director General of the Post Office of India, is appointed Post Master General, Punjab, with effect from the 1st July 1891.

* * * *

J. F. FINLAY,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JULY 30, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 25TH, 1891.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 24th July 1891.

No. 21.—Whereas by Resolution passed by the Secretary of State for India in Council on the 6th day of October 1870 the provisions of the 33rd of Vict., Chap. 3, Section 1, were declared applicable to the districts of Hazára, Pesháwar, Kohát, Bannu, Dera Ismail Khan and Dera Ghází Khan;

And whereas the Lieutenant-Governor of the Punjab has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor-General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the Governor-General's assent on the twenty-second day of July 1891;

In pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India*:

REGULATION No. IV OF 1891.

A Regulation for the better administration of the Agror Valley.

Whereas it was provided in the record-of-rights of the Agror settlement made and sanctioned in 1870 that the Khán of Agror, under pain of forfeiture of all rights recognized as existing in him or conferred upon him by or in the said record-of-rights, should do all in his power to promote and preserve the peace of the border;

And whereas Ali Gauhar Khán, Khán of Agror, has been guilty of disturbing the peace of the border, and his estates and lands have been attached under Section 9 of Regulation III of 1818;

And whereas all his rights as entered in the said record-of-rights have become liable to forfeiture;

And whereas it is necessary to revise the said record-of-rights and otherwise provide for the better administration of the Agror Valley;

It is hereby enacted as follows :—

Title, extent and commencement.

1. (1) This Regulation may be called the Agror Valley Regulation, 1891.

(2). It extends only to the Agror Valley ; and

(3) It shall come into force at once.

Repeal.

2. Rule 60 of the Hazára Settlement Rules appended to Section 13 of Regulation I of 1872, so far as it extends to the Agror Valley, is hereby repealed.

Attachment.

3. The estate of the Khán of Agror shall be deemed to have been attached under the provisions of Section 9 of Regulation III of 1818 upon the first day of August 1888.

Forfeiture.

4. All rights recognized as existing in the Khán of Agror, or conferred upon him, by or in the said record-of-rights are hereby declared to be forfeited to the Government.

Settlement Officer.

5. The Local Government shall appoint an officer to deal with the said forfeited rights.

Duties of Settlement Officer.

6. The officer appointed under the last foregoing section shall, subject to any instructions which he may receive from the Local Government, enquire and determine with respect to the said forfeited rights—

(1) how far they shall be retained by the Government ;

(2) how far and on what conditions they shall be transferred to persons now in possession of land or any interest in land in the Agror Valley or to the kinsmen or relatives of the Khán or any one or more of them ; and

(3) how far and on what conditions they shall be restored to the Khán.

Revision of orders of Settlement Officer.

7. Every determination made by such officer under the last foregoing section shall be subject to revision and confirmation by the Local Government, and when so confirmed shall be final :

Provided that any person, other than the Khán, aggrieved by any such determination as aforesaid may, at any time within six months after the same shall have been confirmed by the Local Government, apply to the Governor-General in Council to rescind or vary the same, and the Governor-General in Council shall thereupon pass such order as may be just.

Waste lands.

8. The Local Government may also direct such officer to divide the waste lands of the Agror Valley into waste to be reserved as forest and as village-waste respectively, and to ascertain and record all the rights, if any, existing in either or both of the classes of waste.

Headmen.

9. The headman of each village in the Agror Valley shall, after the commencement of this Regulation, be appointed by the Collector of the Hazára District, and be entitled to such remuneration, not exceeding ten per centum of the revenue of the village of which he is the headman, as the Collector may fix.

Succession to Khánship.

10. On the death, deposition or abdication of any Khán of Agror, the Local Government may appoint to the headship of the family from among the sons, grandsons or other relatives of the late Khán the person whom it may consider fittest to succeed, notwithstanding any nomination of a successor by the said Khán.

Exclusive jurisdiction.

11. No Court or Revenue Officer shall have jurisdiction in any matter which the Governor-General in Council or the Local Government or an officer appointed under Section 5 is empowered by this Regulation to dispose of, or take cognizance of the manner in which the Governor-General in Council or the Local Government or any such officer may exercise any of the powers vested in him or it by or under this Regulation.

S. HARVEY JAMES,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the 22nd July 1891.

No. 1201.—The Governor-General in Council is pleased, under the provisions of Section 27 of the Indian Arms Act, 1878, to exempt from the operation of any prohibition and direction contained in that Act all Gurkha pensioners of Her Majesty's Indian Forces who reside in British India in respect of weapons known as kukris.

POLICE.

The 18th July 1891.

No. 428.—In exercise of the power conferred by Section 2, sub-sections (1) and (2), of the Police Act (III of 1888), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to create a general Police district embracing all the lands for the time being occupied by the portions of the East Indian Railway, including the Delhi-Umballa-Kalka Railway, which lie within the North-Western Provinces and the Punjab (including the lands occupied by stations, by out-buildings, and for other railway purposes), and to direct the enrolment, under Act V of 1861, of a Police force for service therein.

The Governor-General in Council is also pleased to appoint the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh to discharge within the general Police district aforesaid the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882, and any other enactment relating to Police for the time being in force in the lands aforesaid, or in any part thereof.

ECCLESIASTICAL.

The 23rd July 1891.

No. 229.—The services of the Reverend T. C. Shepherd, Chaplain of Hyderabad (Sind), are placed at the disposal of the Government of the Punjab for temporary employment as Chaplain of Quetta.

C. J. LYALL,

Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Simla, the 23rd July 1891.

No. 837-*F*.—With effect from the 10th July 1891, Mr. W. E. D'Arcy, Assistant Inspector-General of Forests and Superintendent of Working Plans, is appointed an Officiating Conservator of Forests of the 3rd Grade under the Government of the North-Western Provinces and Oudh.

Mr. J. L. Pigot, Deputy Conservator of Forests, 4th Grade, sub. *pro tem.*, Punjab, is appointed to be Assistant Inspector-General of Forests and Superintendent of Working Plans.

E. C. BUCK,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 20th July 1891.

No. 251.—Mr. H. W. Perry, Assistant Engineer, 3rd Grade, Punjab, is at his own request permitted to resign the service of Government, with effect from the forenoon of the 28th May 1891.

The 22nd July 1891.

No. 254.—Mr. E. du Cane Smithe, Executive Engineer, 3rd Grade, Punjab, is appointed to officiate as Under-Secretary to the Government of India in the Public Works Department during the absence of Mr. C. Vincent on privilege leave.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 6, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 1st, 1891.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

FORESTS.

Simla, the 27th July 1891.

No. 853-*F.*—The services of Mr. J. C. McDonell, Deputy Conservator of Forests, ; Grade, Punjab, are placed at the disposal of the Foreign Department, with effect from the th June 1891, for employment in the Kashmir State.

E. C. BUCK,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 31st July 1891.

RETIREMENTS.

No. 725.—Deputy Surgeon-General George Farrell, C.B., Inspector-General of Civil spitals, Punjab, is permitted to retire from the service, with effect from the 2nd September 91, subject to Her Majesty's approval.

VOLUNTEER CORPS.

RESIGNATIONS.

No. 734.—*1st Punjab Rifle Corps*—

Captain E. F. Stranack resigns his commission, with effect from the 23rd vember 1890.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 31st July 1891.

No. 268.—The services of Lieutenant H. C. I. Birdwood, R.E., Assistant Engineer, 1st ade, Punjab, are, on return from field service, replaced at the disposal of that Government.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 13, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 8TH, 1891.

MILITARY DEPARTMENT.

Simla, the 7th August 1891.

LONDON GAZETTE.

No. 753.—The following extracts are published for general information :—

"London Gazette," dated the 14th July 1891, *page* 3724.

* * * * * * * *

INDIA OFFICE, 14*th July* 1891.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Medical Services and admissions to the Staff Corps made by the Governments in India :

INDIAN STAFF CORPS.

To be Lieutenants-Colonel.

* * * * * * * *

Major Charles Frederick Massy. Dated 26th May 1891.

* * * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 20, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 15, 1891.

MILITARY DEPARTMENT.

Simla, the 14th August 1891.

PROMOTIONS.

No. 782.—The following promotions are made, subject to Her Majesty's approval :—

STAFF CORPS.

Lieutenants to be Captains. Dated 11th August 1891.

* * * * * * * *

Cecil Sydney deButts Martindale.

* * * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 10th August 1891.

No. 280.—Mr. C. Newman, Apprentice Examiner of Accounts in the Office of the Examiner of Public Works Accounts, Punjab, is promoted to Assistant Examiner, 2nd Grade, *temporary rank*, with effect from the 26th July 1891.

The 12th August 1891.

No. 284.—Mr. H. J. A. Bowden, Assistant Engineer, 1st Grade, Burma, is, on return from furlough, permanently transferred to the Punjab.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 27, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 22, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.

MEDICAL.

Simla, the 20th August 1891.

No. 515.—The services of Deputy Surgeon-General G. Farrell, C. B., are replaced at the disposal of the Military Department, with effect from the 2nd September next, the date on which he will be relieved of his duties by Deputy Surgeon-General J. Cleghorn.

ECCLESIASTICAL.

The 18th August 1891.

No. 260.—Her Majesty's Secretary of State for India has permitted the Reverend G. T. Carruthers, a Senior Chaplain on the Bengal Ecclesiastical Establishment, to retire from the service, with effect from the 29th September 1891.

C. J. LYALL,
Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

STATISTICS AND COMMERCE.

CUSTOMS.

Simla, the 19th August 1891.

No. 3521.—In exercise of the powers conferred by Section 23 of the Sea Customs Act, VIII of 1878, the Governor-General in Council is pleased to exempt from customs duty swords and revolvers imported into British India, which are certified by an Inspector-General of Police to be part of the ordinary equipment of members of the Police Force under his charge.

J. F. FINLAY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 21st August 1891.

RETIREMENTS.

No. 815.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Major Benson Luke Freeman resigns his commission, and is permitted on retirement to retain his rank and wear the uniform of the corps.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 21st August 1891.

No. 294.—The Governor-General in Council is pleased to order the following promotions to and in the classes of Chief and Superintending Engineers, with effect from the dates specified :—

Names.	From	To	Nature of promotion.	With effect from
* *	* *	* * *	* *	* *
Higham, T.	Superintending Engineer, 1st Class, *temporary rank.*	Chief Engineer, 3rd Class ...	Temporary ...	6th July 1891.
* *	* *	* * *	* *	* *
Fenner, H. A. S. ...	Superintending Engineer, 2nd Class.	Superintending Engineer, 1st Class.	Permanent ...	12th July 1891.
* *	* *	* * *	* *	* *

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 3, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 29, 1891.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

Simla, the 28th August 1891.

No. 532.—Deputy Surgeon-General J. Cleghorn, M.D., I.M.S., is appointed Inspector-General of Civil Hospitals, Punjab, until further orders, with effect from the 2nd September next.

C. J. LYALL,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 27th August 1891.

No. 3542*I*.—In exercise of the powers conferred by Sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to declare that the powers and duties which are conferred and imposed on a District Judge by Section 64 of the Administrator-General's Act (II of 1874), as amended by Section 13 of Act II of 1890, shall in the dominions of Princes and States in India in alliance with Her Majesty be respectively conferred upon and discharged by the following officers:—

(*a*) In any dominion in or for which a District Court has been established or continued by the Governor-General in Council, the Judge of that Court: Provided that when more than one officer exercises the powers of a District Judge in any such dominion, it shall be competent for

the officer who exercises in that dominion the powers of a High Court to determine by whom the aforesaid powers and duties shall be exercised in any particular case or within any specified area in that dominion; and

(b) In all other cases, the Political Agent (as defined in Section 3 of the first mentioned Act).

H. M. DURAND,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 28th August 1891.

No. 303.—With reference to Public Works Department Notification No. 52, dated 19th February 1891, Mr. J. W. Wright, Chief Engineer, 3rd Class, temporary rank, is confirmed in the appointment of Secretary to the Chief Commissioner, Assam, in the Public Works Department, with the rank of permanent Chief Engineer, 3rd Class, from the 14th June 1891.

No. 304.—The Governor-General in Council is pleased to order the following promotions to and in the classes of Chief and Superintending Engineers, with effect from the dates specified:—

Names.	From	To	Nature of promotion.	With effect from
* *	* *	* * *	* *	* *
Higham, T. ...	Superintending Engineer, 1st Class, *temporary rank.*	Chief Engineer, 3rd Class ...	Temporary ...	6th July 1891.
* *	* *	* * *	* *	* *
Sibold, E. A. ...	Executive Engineer, 1st Grade.	Superintending Engineer, 3rd Class	Temporary ...	6th July 1891.
* *	* *	* * *	* *	* *
Fenner, H. A. S. ...	Superintending Engineer, 2nd Class.	Superintending Engineer, 1st Class.	Permanent ...	8th July 1891.
* *	* *	* * *	* *	* *
Harvey, Lieutenant-Colonel E., R. E.	Superintending Engineer, 2nd Class, *temporary rank.*	Superintending Engineer, 2nd Class.	Sub. *pro tem.*	12th July 1891.
* *	* *	* * *	* *	* *

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 10, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 5, 1891.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

STAMPS.

Non-Judicial.

Exemptions, &c.

Simla, the 2nd September 1891.

No. 3713.—In exercise of the power conferred by section 8 of the Indian Stamp Act, I of 1879, the Governor-General in Council is pleased to remit the duty chargeable under the said Act on any letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint holders of a Government Security to give on behalf of the other or others of them, or any one or more of such other joint holders, a discharge for interest payable on such security or on any renewed security issued in lieu thereof.

J. F. FINLAY,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 17, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 12, 1891.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 10th September 1891.

No. 1407.—In accordance with the provisions of Section 18, Sub-Section (1), of the Indian Explosives Act, IV of 1884, and with the directions contained in Home Department Notification No. 1964, dated 2nd September 1887, the Governor-General in Council is pleased to publish for general information the following draft Rule which he proposes to add to the rules to regulate the transport and importation of explosives published in Home Department Notification No. 1417, dated the 24th June 1887.

The draft will be taken into consideration on the expiry of two months from the date of this Notification.

Draft Rule.

15A. Explosives other than those referred to in Rule 11, which have already undergone the test prescribed by Rules 14 and 15 at the port of Calcutta, Madras, Bombay, Rangoon, Calicut, Karáchi, or Aden, may be re-imported by sea into any other of those ports under a license granted under Rule 13 without re-testing, but subject in the case of such explosives as are mentioned in Rule 6, clause IX, to the production of the certificate prescribed in that clause.

Such certificate shall be valid for six months after date if the examination has been made between the 15th October and 31st March, but in the case of dynamite a fresh certificate may be demanded if the consignment is imported between the 1st April and 15th October (both inclusive).

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

VOLUNTEER CORPS.

APPOINTMENTS.

Simla, the 11th September 1891.

No. 882.—*1st Punjab Volunteer Rifle Corps.*—Colonel Charles Henry Tilson Marshall, Staff Corps, to be Major, *vice* Masson, promoted.

Mr. James Pike Wilson to be Second Lieutenant to complete the establishment.

No. 883.—*2nd Punjab (Simla) Volunteer Rifle Corps.*—Mr. Robert Waller, Senior, to be Lieutenant, *vice* Weston promoted.

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 11th September 1891.

No. 324.—Mr. E. E. Oliver, Executive Engineer, 1st Grade, Punjab, is permanently promoted to Superintending Engineer, 3rd Class, with effect from the 14th June 1891.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, SEPTEMBER 24, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 19, 1891.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 18th September 1891.

No. 1472.—The following Notification is substituted for Home Department Notification No. 29, dated the 9th January 1891 :—

In exercise of the powers conferred by Section 27 of the Indian Arms Act, XI of 1878, the Governor-General in Council is pleased to substitute the following clauses for clauses (*c*) and (*d*) of Part III of Home Department Notification No. 518, dated the 6th March 1879 :—

(*c*) All scheduled districts in the territories administered by the Lieutenant-Governor of the Punjab, except the following tracts, namely :—

(1) The Hazára District, excluding (*a*) the jágír of the Nawáb of Amb, commonly known as Feudal Tanáwal (including the Phulera jágír), and (*b*) certain tracts and villages on the Hazára Frontier specially notified by the Local Government;

(2) The Cis-Indus Tahsíls of the Bannu and Dera Ismail Khan Districts; and

(3) Cantonments and Municipalities in the Bannu, Dera Ismail Khan and Dera Ghází Khan Districts,

from all prohibitions and directions contained in Section 13.

Provided that with respect to the Trans-Indus Tahsíls of the Bannu and Dera Ismail Khan Districts, and to the Dera Ghází Khan District, the operation of the Act is not hereby withdrawn as to—

(i) arms known as pistols and daggers, or

(ii) arms of any kind as regards the class of persons known as Trans-Border Patháns.

(*d*) All scheduled districts in the territories administered by the Lieutenant-Governor of the Punjab, except the following tracts, namely :—

The Hazára District, excluding (*a*) the jágír of the Nawáb of Amb, commonly known as Feudal Tanáwal (including the Phulera jágír), and (*b*) certain tracts and villages on the Hazára frontier specially notified by the Local Government,

from all prohibitions and directions contained in Section 14.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 18*th September* 1891.

LONDON GAZETTE.

No. 897.—The following extracts are published for general information :—

" *London Gazette," dated the* 21*st August* 1891, *pages* 4491 *and* 4492.

INDIA OFFICE,
21*st August* 1891.

The Queen has approved of the following promotions among the officers of the Staff Corps and Indian Military Forces, and admissions to the Staff Corps, made by the Governments in India :—

* * * * * *

BENGAL MEDICAL ESTABLISHMENT.

To be Brigade Surgeons.

* * * * * *

Surgeon-Major William Pleace Warburton, M.D. Dated 1st April 1891.

* * * * * *

VOLUNTEER CORPS.

PROMOTIONS.

No. 905.—3*rd Punjab* (*North-Western Railway*) *Volunteer Rifle Corps*—
The second Christian name of Major E. F. Jacob is " Fountaine " and not as notified in G. G. O. No. 654 of 1891.

E. H. H. COLLEN,
Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED SEPTEMBER 19, 1891.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

EXEMPTION OF CERTAIN CLASSES OF APPOINTMENTS IN THE DEPARTMENT OF FINANCE AND COMMERCE FROM THE OPERATION OF THE RULES FOR REGULATING APPOINTMENTS TO CLERKSHIPS.

No. $\frac{22 \text{ Public}}{1455-1456}$.

Extract from the Proceedings of the Government of India in the Home Department (Public),—under date Simla, the 15*th September* 1891.

Read—

Home Department Notification No. 1817, dated 3rd July 1888.

Home Department Resolution No. $\frac{39}{3970-84}$, dated 13th November 1888.

RESOLUTION.

In modification of the rules for the regulation of appointments in the Secretariat Clerical Service of the Government of India and attached offices published with the Notification of the 3rd July 1888, and in continuation of the Resolution of the 13th November 1888, the Governor-General in Council is pleased to direct that those rules shall not apply to classes

VII (Rs. 50—75), VIII (Rs. 35—50) and IX (Rs. 25—35) of appointments in the Statistical Branch, and to classes IX (Rs. 25—35) and X (Rs. 20—25) in the General Branch, of the Department of Finance and Commerce. That Department will also have authority to recruit without reference to the rules in the case of appointments in class VIII (Rs. 35—50) in its General Branch at any time when it considers it necessary to do so, but ordinarily recruitment to that class will be from passed candidates. No clerk other than a passed candidate who enters the classes now exempted from the operation of the rules after the date of this Resolution shall be eligible for promotion to the classes above class VII in the Statistical and class VIII in the General Branch, except in accordance with rule 12 of the Rules of the 3rd July 1888.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the Department of Finance and Commerce for information, and that it be published in the *Gazette of India* for general information.

[True Extract.]

C. J. LYALL,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 1, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 26, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 22nd September 1891.

No. 350.—The services of the undermentioned officers are placed at the disposal of he Government of the Punjab for employment in the Punjab Commission :—

Lieutenant P. S. M. Burlton, 28th (Punjab) Regiment of Bengal Infantry.

Lieutenant H. S. Fox-Strangways (Queen's Own) Corps of Guides.

MEDICAL.

The 24th September 1891.

No. 613.—The services of Surgeon A. R. W. Sedgefield, M.B., Bengal Establishment, ivil Surgeon of Murree, are placed permanently at the disposal of the Government of engal for employment as Opium Factory Superintendent at Gházipur.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PAPER CURRENCY.

No. 4024.

The 23rd September 1891.

RESOLUTION.—By the Government of India, Finance and Commerce Department.

Read again the following letters to the Head Commissioner of Paper Currency—

No. 3458, dated the 29th October 1879;

No. 914, dated the 15th February 1882; and

No. 3308, dated the 21st August 1882.

RESOLUTION.—Mismatched currency notes, that is, notes of which the right half of one is joined to the left half of another, when presented to the Currency Office for payment are dealt with in accordance with the orders contained in the letters read in the preamble. Under these orders no claim for payment of the value of mismatched notes can be admitted by the Currency Office, but all claims are registered, and if the corresponding halves have already been received or should afterwards be received in the form of a mismatched note, the Currency Office, by joining together the proper halves and paying the entire notes, meets the claims as far as possible. Such notes are held in deposit in the Currency Office for three years awaiting the receipt of the corresponding halves, but thereafter the full value of the halves is credited to revenue.

2. The Governor-General in Council is now pleased to decide that in future, instead of crediting the value of both the halves of mismatched notes to Government after they have remained unclaimed for three years, the value of one half should be credited to Government and that of the other half to the depositor of the mismatched note.

ORDER.—Ordered, that this Resolution be communicated to the Head Commissioner of Paper Currency.

Ordered also, that this Resolution be published in the *Gazette of India* for general information.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 25th September 1891.

VOLUNTEER CORPS.

RESIGNATIONS.

No. 932.—1*st Punjab Volunteer Rifle Corps*—

Second-Lieutenant J. B. Dunlop resigns his commission.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 8, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 3, 1891.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 29th September 1891.

His Excellency the Viceroy will leave Simla on Wednesday, the 14th October 1891.

His Excellency will visit Kashmír, Gwalior, Bhopal, and Indore, and will arrive at Calcutta on Saturday, the 28th November 1891.

By Command,

WILLIAM BERESFORD, *Colonel,*

Military Secretary to the Viceroy.

MILITARY DEPARTMENT.

Simla, the 2nd October 1891.

FURLOUGH AND LEAVE.

No. 944.—Conductor W. Grindal, Sub-Engineer, 2nd grade, Public Works Department, Punjab, is granted an extension of leave in India (m. c.) until transfer to the pension establishment.

VOLUNTEER CORPS.

PROMOTIONS.

No. 954.—*2nd Punjab* (*Simla*) *Volunteer Rifle Corps*—

Major Frank Leigh is granted the honorary rank of Lieutenant-Colonel as a special case under paragraph 122-A of Army Regulations, India, Vol. IX.

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 15, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 3, 1891.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 28th September 1891.

No. 1452 *E.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Khán Bahádur as a personal distinction upon Abdur Rahmán Khán, Postal Contractor, Hazára District.

H. M. DURAND,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 10TH, 1891.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 9th September 1891.

No. 1300(A)-*F.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Rája as a personal distinction upon Lieutenant-Colonel Mirza Ata-ullah Khán, Sardar Bahádur, 10th (The Duke of Cambridge's Own) Regiment of Bengal Lancers, late British Agent at Kabul.

H. M. DURAND,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 9th October 1891.

APPOINTMENT.

MEDICAL DEPARTMENT.

No. 960.—With reference to G. G. O. No. 782 of 1891, it is notified that the tenure of the appointment of Deputy Surgeon-General J. Cleghorn, M.D., in the administrative grade of the Indian Medical Service, Bengal, will reckon from the 13th August 1891.

E. H. H. COLLEN,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 22, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 17TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Simla, the 16th October 1891.

No. 1359.—The services of Lieutenant E. W. Wall, 17th Bengal Cavalry, were placed at the disposal of the Government of the Punjab for employment as Officiating Cantonment Magistrate at Ferozepore, with effect from the afternoon of the 2nd April 1891.

C. J. LYALL,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 15th October 1891.

No. 4196 *I.*—Whereas His Highness the Mahárája of Patiála and the Chief of Kalsia have granted to the British Government full jurisdiction within the lands which lie within their respective States and are occupied, or may be hereafter occupied, by the Delhi-Umballa-Kálka Railway (including the lands occupied by stations, by out-buildings, and for other railway purposes), in exercise of this jurisdiction and of the powers conferred by Sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders :—

(1). All laws for the time being in force in the Umballa District of the Punjab shall be deemed to be in force in the aforesaid lands.

(2). For the purposes of police administration, the aforesaid lands shall be included in the General Police District created by Home Departme Notification No. 428, dated the 18th July 1891.

(3). The Deputy Commissioner of the Umballa District, the Commissione of the Delhi Division, the Financial Commissioners of the Punjab, an the Lieutenant-Governor of the Punjab and its Dependencies for th time being shall respectively have within the aforesaid lands the sa executive powers (except those relating to police administration) a they may respectively exercise within the British territories subject t their administration.

(4). British Courts having jurisdiction within the Umballa District ma exercise within the aforesaid lands the jurisdiction which they respect ively exercise within the said district.

(5). Foreign Department Notification No. 41 67-I., dated the 9th Decembe 1890, is hereby cancelled.

W. J. CUNINGHAM,

Deputy Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 29, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 24TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 23rd October 1891.

No. 448.—Mr. F. P. Beachcroft is permitted to resign Her Majesty's Indian Civil Service, with effect from the 1st November 1891, or the subsequent date on which he may sail from India or relinquish charge of office in the event of his not taking subsidiary leave.

C. J. LYALL,

Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

STAMPS.

The 19th October 1891.

No. 4345.—In exercise of the powers conferred by section 8 of the Indian Stamp Act (I of 1879), the Governor-General in Council is pleased to remit the duty chargeable under that Act on—

(1) copies of entries in the certified copies of registers given under section 8 of Act VI of 1886;

(2) copies of entries in register books granted by any Registrar of Births and Deaths under section 25 of the said Act; and

(3) copies of entries in registers and records given under section 35 of the said Act;

when applied for by a soldier, sailor, non-commissioned officer, or petty officer.

J. F. FINLAY,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

The 19th October 1891.

No. 363.—Mr. C. E. A. Jones, Assistant Engineer, 1st Grade, Punjab, is at his own request permitted to retire from the service of Government, with effect from the 2nd October 1891.

The 21st October 1891.

No. 369.—Mr. C. Roberts, Assistant Engineer, 1st Grade, Punjab, is permitted to retire from the service of Government, with effect from the 22nd September 1891.

J. G. FORBES, *Colonel, R.E.,*

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 5, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 31ST, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Simla, the 30th October 1891.

No. 1775.—With reference to Rules 3 and 7 of the rules published in Home Department Notification No. 1817, dated 3rd July 1888, and to Rules 3 and 7 published in the Notification of the Government of Bengal, dated 29th April 1889, it is hereby notified that the examination prescribed for filling up vacancies in the Clerical Establishments of the Secretariat Offices of the Government of India and attached Offices, and of the Offices subordinate to the Government of Bengal, will be held at Calcutta in the Senate House of the Calcutta University and at Allahabad and Lahore at the places to be appointed by the Government of the North-Western Provinces and Oudh and the Punjab respectively in January 1892; the exact dates will be notified hereafter. The hours of examination will be from 10 A.M. to 1 P.M., and from 1-30 P.M. to 4-30 P.M. daily.

The probable number of vacancies in the Secretariat Clerical Service of the Government of India and attached Offices to be competed for is thirty-three in the Lower Division. Of these seventeen will be reserved for candidates who may succeed in passing at the examination to be held at Calcutta, and sixteen for those who pass at the examination to be held at Allahabad and Lahore, provided that a sufficient number of candidates, duly qualified, present themselves at those centres. There will be no examination for the Upper Division of the Government of India Secretariats and attached Offices.

The probable number of vacancies in the offices subordinate to the Government of Bengal will be three in the Upper Division and twenty-five in the Lower Division. These will be reserved for candidates examined at Calcutta.

Candidates should pay the prescribed fee (Rs. 20 for the Upper Division and Rs. 10 for the Lower Division) into the nearest Treasury, and forward the Treasury receipt to the Secretary to the Board of Examiners, Calcutta. Candidates paying their fees in Calcutta should pay them into the Bank of Bengal.

Application for permission to appear for the examination, whether for appointments under the Government of India or for those under the Government of Bengal, should be made to the Secretary to the Board of Examiners, Calcutta, between the 1st and the 15 days of December (inclusive).

The attention of intending candidates is called to Rule 6 of the Home Department Notification of the 3rd July 1888 and to Rule 6 of the Notification of the Government of Bengal of the 20th April 1889 prescribing the particulars* and documents which should accompany the application for permission to appear at the examination.

* (1). Evidence (except in the cases provided for by Rules 8 and 9) that the candidate at the date of making his application is not less than 18 and not more than 24 years of age. The date of the candidate's birth must be stated.

(2). In case the candidate has been educated at a school in which students' good conduct registers are kept, the candidate's register for the last year of his attendance at school when a year has not elapsed since he left school. In other cases, a certificate that the candidate is of good moral character from the head of the institution in which he has last been educated, or from some respectable householder to whom he is well known in private life, and who is himself known to a District or Sub-Divisional Magistrate or to the head of some Government office,—this last fact being certified by the countersignature of the officer in question.

No. 1790.—The following rule is added as clause (13) to Rule 3, Section III, of the Rules regulating the submission of petitions to the Government of India, published in Home Department Notification No. 1812, dated the 11th October 1889 :—

"(13). When a petition relates to a subject on which the Local Government is competent to pass orders, and no previous application for redress has been made to the Local Government."

JUDICIAL.

The 24th October 1891.

No. 1415.—The services of Lieutenant E. W. Wall, 17th Bengal Cavalry, Officiating Cantonment Magistrate, Ferozepore, are replaced at the disposal of the Military Department with effect from the forenoon of the 16th October 1891.

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 30th October 1891.

FURLOUGH AND LEAVE.

No. 1025.—The undermentioned officers have been granted extensions of furlough or leave by the Secretary of State for India :—

* * * * * * * *

Surgeon-Major W. A. C. Roe, Civil Surgeon, Mooltan (m. c.) for two months.

* * * * * * * *

E. H. H. COLLEN,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 12, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 31ST, 1891.

No. 1167-F.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

FORESTS.

Simla, the 26th October 1891.

NOTIFICATION.

In supersession of previous Notifications on the subject, and with reference to ragraph 8 (*a*) and Appendix I of the Circular Resolution of this Department No. 18-F., ted the 29th July last, the following promotions and other changes have taken place in e class of Conservators of Forests with effect from the 26th February 1891 and up date :—

pointments, and names of Officers holding them.	Province or Circle.	Promotions, &c.
CONSERVATORS.		
* *	* *	* * * *
rd Grade—Pay Rs. 1,100—(4).		
* *	* *	* * * *
Mr. R. H. C. Whittall ...	...	Officiated in 2nd Grade up to 14th March 1891. On furlough since 15th idem.
* *	* *	* * * *
Mr. A. E. Wild, ...	Punjab	Officiating from 25th March 1891.
* *	* *	* * *

J. W. P. MUIR-MACKENZIE,
Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 7TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Simla, the 5th November 1891.

No. 1446.—The services of Lieutenant E. Waller, 19th (Punjab) Regiment of Bengal Infantry, Officiating Cantonment Magistrate, Siálkot, are replaced at the disposal of the Military Department, with effect from the afternoon of the 8th October 1891.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Simla, the 6th November 1891.

PROMOTIONS.

No. 1043.—The following promotions are made, subject to Her Majesty's approval:—

MEDICAL DEPARTMENT.

Surgeons to be Surgeons-Major. Dated 31st October 1891.

George William Patrick Dennys.

* * * * * * *

E. H. H. COLLEN,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 2nd November 1891.

No. 382.— Mr. P. J. Creameor, Officiating Deputy Examiner of Accounts in the Office of the Examiner of Public Works Accounts, Punjab, was temporarily attached to the Office of the Examiner of Accounts, North-Western Railway, from the 3rd August to the 13th October 1891, inclusive.

The 4th November 1891.

No. 390.—Mr. S. K. L. Yeats, Examiner of Accounts, temporary rank, is transferred from the Office of the Examiner of Public Works Accounts, Punjab, to that of the Examiner of Public Works Accounts, Burma.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 19, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 14TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

The 13th November 1891.

No. 1474.—In the exercise of the power conferred by section 16 of the Indian Merchandise Marks Act, IV of 1889, and in supersession of all existing orders on the subject, the Governor-General in Council is pleased to direct that Criminal Courts, in giving effect to the provisions of the Act in respect of trade descriptions of quantity, measure, or weight of the goods specified hereunder, shall observe the following instructions :—

I.—A trade description of length stamped on *grey, white* or *coloured cotton piece-goods* shall not be deemed to be false in a material respect unless—

(*a*) where a single length is stamped, the description exceeds the actual length by more than—

4 inches in pieces stamped as 10 yards long and under;

5 ditto ditto as above 10 yards and up to 23 yards long;

7 ditto ditto ditto 23 ditto 36 ditto;

9 ditto ditto ditto 36 ditto 47 ditto;

18 ditto ditto ditto 47 yards long:

Provided that the average length of the goods in question shall not be less than the stamped length;

(*b*) where a maximum and a minimum length are stamped, the described maximum length is greater than the actual length by more than—

9 inches in piece-goods under 35 yards long;

18 ditto ditto 35 yards and up to 47 yards long;

36 ditto ditto above 47 yards long:

Provided that no such piece shall measure less than the minimum stamped length.

II.—A trade description of width stamped on *grey, white,* or *coloured cotton piece-goods* shall not be deemed to be false in a material respect unless the description exceeds the actual width by—

half an inch in pieces stamped as 40 inches or less in width;

three-quarters of an inch in pieces stamped as over 40 inches or under 59 inches in width;

one inch in pieces stamped as 59 inches or more in width:

Provided that the average width of the woods in question shall not be less than the stamped width.

III.—A trade description of count or number, length, or weight, applied to *grey,* or *bleached, cotton yarn* shall not be deemed to be false in a material respect unless—

(*a*) the described count or number is greater or less than the actual count or number by more than 5 per cent., provided that the average count of the whole of the yarn in question is not greater or less than the described count; or

(*b*) the average length of the whole number of hanks in a bundle is less than 840 yards; or

(*c*) in a bundle of yarn of any count under 50, described as being 10lb in weight, the number of knots of twenty hanks each is not half of, the number of knots of ten hanks each is not the same as, and the number or knots of five hanks is not double, the described count or number of the yarn; or

(*d*) in a bundle of yarn of any count under 50, described as being 5lb in weight, the number of knots of twenty hanks each is not a quarter of the described count or number of the yarn; or

(*e*) in a bundle of yarn of any count from 50 upwards, the number of knots of twenty hanks each is not half, or the number of knots of forty hanks each is not a quarter, when the described weight is 10lb, and is not a quarter or an eighth, as the case may be, when the described weight is 5lb, of the count or number of the yarn; or

(*f*) in the case of *bleached yarn* the described weight exceeds the actual weight by more than—

7½ per cent. in counts from 1 to to 8;				
5	ditto	ditto	from above	8 to 18;
4	ditto	ditto	ditto	18 to 30;
2½	ditto	ditto	ditto	30 to 80.

IV.—A trade description of count or number applied to a bundle of *dyed cotton yarn* shall be accepted as indicating length only, the hank being taken to measure 840 yards, and it shall be deemed to be false in a material respect if the average length of the hanks in a bundle is less than 819 yards.

V.—A trade description of length applied to *thread of any kind* (of cotton, wool, flax, or silk) shall not be deemed to be false in a material respect unless it exceeds the actual length by more than 1 per cent.

VI.—The dimensions of goods on which their length or width is stamped shall be determined by measurement in Imperial yards of 36 inches.

C. J. LYALL,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 13th November 1891.

FURLOUGH AND LEAVE.

No. 1049.—The undermentioned officer is granted furlough out of India:—

Brigade-Surgeon W. P. Warburton, M. D., Medical Officer to His Highness the Rája of Kapurthala, (p. a.) for two years, under Rule IX of the Regulations of 1868.

No. 1053.—The undermentioned officers have been granted extensions of furlough leave by the Right Hon'ble the Secretary of State for India:—

Colonel R. T. M. Lang, General List, Cavalry, Deputy Commissioner, 1st grade, Punjab, (m. c.) for six months.

* * * * * * * *

J. E. BROADBENT,

Depy. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, NOVEMBER 26, 1891.

PART II.

Republications from the "Gazette of India."

No. 4156-D.

GOVERNMENT OF INDIA—MILITARY DEPARTMENT.

Simla, the 22nd October 1891.

HORSES.

Remounts.

NOTIFICATION.

WITH reference to the advertisement of the 15th October 1890, it is hereby notified at the number of young country-bred horses likely to prove suitable for army purposes, iich it is anticipated will be purchased by the Government of India during the year 92-93, is estimated at 850.

But this estimate is subject to alteration hereafter.

BENGAL.	
Hapur Rearing Depôt.	
Young horses 18 months old and upwards	375
Karnál Rearing Depôt.	
Young horses 18 months old and upwards	375
BOMBAY.	
Ahmednagar Depôt.	
Young horses 18 months old and upwards	100
TOTAL ...	850

2. The average price for young horses of this class will be fixed according to their rits, but every horse presented for purchase will be valued separately, and higher or er prices may be given provided that the average fixed by Government is not exceeded.

3. The purchases will be made at the various horse fairs and horse shows and tricts in India, by Remount Agents under the orders of the Director of Army Remount partment.

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 21ST, 18

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Calcutta, the 19th November 1891.

No. 1836.—With reference to paragraph 1 of Home Department Noti No. 1775, dated the 30th October 1891, it is hereby notified that the examinatio cribed for filling up vacancies in the clerical establishments of the Secretariat offices Government of India and attached offices and of the offices subordinate to the Gove of Bengal will be held at Calcutta in the Senate House of the Calcutta University Upper and Lower Divisions, respectively, on the dates specified below :—

Upper Division,—2nd January 1892, and following days.

Lower Division,—9th January 1892, and following days.

The examination of candidates for appointments in the Secretariat offices Government of India and attached offices at Allahabad and Lahore will be held above dates at the places to be appointed by the Governments of the North-Western vinces and Oudh, and the Punjab, respectively.

C. J. LYALL,

Secretary to the Government of In

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 3, 1891.

PART II.

Republications from the "Gazette of India."

No. 1474 of 1891.

GOVERNMENT OF INDIA.—HOME DEPARTMENT.

JUDICIAL.

Dated Calcutta, the 13th November 1891.

NOTIFICATION.

IN the exercise of the power conferred by Section 16 of the Indian Merchandise Marks Act, IV of 1889, and in supersession of all existing orders on the subject, the Governor-General in Council is pleased to direct that Criminal Courts, in giving effect to the provisions of the Act in respect of trade descriptions of quantity, measure, or weight of the goods specified hereunder, shall observe the following instructions :—

I.—A trade description of length stamped on *grey, white* or *coloured cotton piece-goods* shall not be deemed to be false in a material respect unless—

(*a*) where a single length is stamped, the description exceeds the actual length by more than—

4	inches in pieces stamped		as 10 yards long and under ;				
5	ditto	ditto	as above 10 yards and up to			23	yards long ;
7	ditto	ditto	ditto	23	ditto	36	ditto ;
9	ditto	ditto	ditto	36	ditto	47	ditto ;
18	ditto	ditto	ditto	47 yards long :			

Provided that the average length of the goods in question shall not be less than the stamped length ;

(*b*) where a maximum and a minimum length are stamped, the described maximum length is greater than the actual length by more than—

9	inches in piece-goods under 35 yards long ;		
18	ditto	ditto	35 yards and up to 47 yards long ;
36	ditto	ditto	above 47 yards long :

Provided that no such piece shall measure less than the minimum stamped length.

II.—A trade description of width stamped on *grey, white,* or *coloured cotton piece-goods* shall not be deemed to be false in a material respect unless the description exceeds the actual width by—

half an inch in pieces stamped as 40 inches or less in width ;
three-quarters of an inch in pieces stamped as over 40 inches or under 59 inches in width ;
one inch in pieces stamped as 59 inches or more in width :

Provided that the average width of the goods in question shall not be less than the stamped width.

III.—A trade description of count or number, length or weight, applied to *grey,* or *bleached, cotton yarn* shall not be deemed to be false in a material respect unless—

(*a*) the described count or number is greater or less than the actual count or number by more than 5 per cent., provided that the average count of the whole of the yarn in question is not greater or less than the described count ; or

(*b*) the average length of the whole number of hanks in a bundle is less than 840 yards ; or

(*c*) in a bundle of yarn of any count under 50, described as being 10 lb in weight, the number of knots of twenty hanks each is not half of, the number of knots of ten hanks each is not the same as, and the number of knots of five hanks is not double, the described count or number of the yarn ; or

(*d*) in a bundle of yarn of any count under 50, described as being 5lb in weight, the number of knots of twenty hanks each is not a quarter of the described count or number of the yarn ; or

(*e*) in a bundle of yarn of any count from 50 upwards, the number of knots of twenty hanks each is not half, or the number of knots of forty hanks each is not a quarter, when the described weight is 10 lb, and is not a quarter or an eighth, as the case may be, when the described weight is 5 lb, of the count or number of the yarn ; or

(*f*) in the case of *bleached yarn* the described weight exceeds the actual weight by more than—

7½	per cent. in counts		from 1	to 8 ;
5	ditto	ditto	from above	8 to 18 ;
4	ditto	ditto	ditto	18 to 30 ;
2½	ditto	ditto	ditto	30 to 80.

IV.—A trade description of count or number applied to a bundle of *dyed cotton yarn* shall be accepted as indicating length only, the hank being taken to measure 840 yards, and it shall be deemed to be false in a material respect if the average length of the hanks in a bundle is less than 819 yards.

V.—A trade description of length applied to *thread of any kind* (of cotton, wool, flax, or silk) shall not be deemed to be false in a material respect unless it exceeds the actual length by more than 1 per cent.

VI.—The dimensions of goods on which their length or width is stamped shall be determined by measurement in imperial yards of 36 inches.

C. J. LYALL,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 28TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Calcutta, the 26th November 1891.

No. 507.—The services of Lieutenant A. E. Barton, 4th Bombay Infantry, are placed at the disposal of the Government of the Punjab for employment in the Punjab Commission.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 27th November 1891.

LONDON GAZETTE.

No. 1096.—The following extracts are published for general information :—

"London Gazette," dated the 16*th October* 1891, *pages* 5406 *and* 5407.

India Office, 16*th October* 1891.

THE Queen has approved of the following promotions among the officers of the Staff Corps and Indian Medical Service, and admissions to the Staff Corps, made by the Governments in India :—

INDIAN STAFF CORPS.

Lieutenants to be Captains.

Dated 11th August 1891.

* * * *

Cecil Sydney de Butts Martindale.

* * * *

BENGAL MEDICAL ESTABLISHMENT.

To be Deputy Surgeon-General.

Brigade-Surgeon James Cleghorn, M.D. Dated 13th August 1891.

* * * *

VOLUNTEER CORPS.

APPOINTMENTS.

No. 1104.—*2nd Punjab (Simla) Volunteer Rifle Corps*—

Sir Henry Mortimer Durand, K.C.I.E., C.S.I., to be Lieutenant-Colonel-Commandant, *vice* Lieutenant-Colonel Walker, C.I.E., transferred to the supernumerary list.

RETIREMENTS.

No. 1111.—*3rd Punjab (North-Western Railway) Volunteer Rifle Corps*—

Captain (Honorary Major) John Englebright resigns his commission, and is permitted on retirement to retain his rank and to wear the uniform of the corps.

J. E. BROADBENT,

for *Secretary to the Government of India.*

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 10, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 28TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 26th November 1891.

No. 411.—The following Assistant Engineers, 2nd Grade, appointed by Her Majesty's Secretary of State for India in Council from the Royal Indian Engineering College, who have gone through a course of practical training in England, are posted as follows :—

*　*　*　*　*　*　*　*

To PUNJAB.

Mr. R. S. Paterson.
Mr. J. P. Wildeblood.

J. G. FORBES, *Colonel, R.E.*,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 5TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Calcutta, the 2nd December 1891.

No. 528.—Mr. R. W. Trafford has been permitted to resign Her Majesty's Indian Civil Service with effect from the 9th October 1891.

JUDICIAL.

The 28th November 1891.

No. 1543.—The services of Major A. K. Macpherson, Cantonment Magistrate, replaced at the disposal of the Government of the Punjab with effect from the afternoon the 8th October 1891.

No. 1577.—With reference to paragraph 31 of Home Department Resolution No. 17 Judicial / 1497—1502, dated the 20th November 1891, the Governor-General in Council is pleased direct that the Commission to enquire into and report upon the working of the Deccan Agriculturists' Relief Act shall be constituted as follows, and shall assemble at Poona later than the 15th instant :—

President :

Mr. John William Neill, Judicial Commissioner, Central Provinces.

Members :

The Hon'ble Rao Bahâdur Krishnaji Lakshman Nulkar, C.I.E.
Mr. Charles Montgomery Rivaz, Commissioner, Punjab.
Mr. Henry Farrington Evans, Judge, North-Western Provinces.
Mr. Stephen Hammick, Judge, Bombay Presidency.
Mr. Frederic Styles Philpin Lely, Collector and Magistrate, Bombay Presidency.

Secretary :

Mr. Leslie Alexander Selim Porter, I.C.S.

C. J. LYALL,
Secretary to the Government of India.

FINANCE AND COMMERCE DEPARTMENT.

LEAVE AND PENSION.

No. 4863.

The 4th December 1891.

RESOLUTION—By the Government of India, Finance and Commerce Department.

READ—

Resolution by the Government of India in this Department, No. 5800, dated the 12th December 1890.
Despatch to the Secretary of State, No. 393, dated 17th December 1889.
Despatch from the Secretary of State, No. 126, dated 25th June 1891.

RESOLUTION.—In the Resolution read in the preamble, the decisions arrived at on of the recommendations made in the report of the Select Committee of the House of Commons on East India (Civil Servants) were published. His Excellency the Governor-General in Council now directs the publication of the final decisions on the other questions, which in connection with the report of the Committee, and which were in December 1890 held for further consideration in communication with Her Majesty's Secretary of State for India. These were—

(*a*) The recommendation contained in the following extract from the report:—

"Your Committee are further of opinion that the greater part of the grievances of the Uncovenanted Service is due to the ambiguity of the terms in which services have from time to time been stated, and recommend that in future there shall be as far as possible a uniform scheme, which shall explicitly describe the terms of pension and furlough."

(*b*) The following remarks of the Committee :—

"Your Committee have had their attention called to the obstacles in taking furlough arising from the insufficiency of the present furlough pay, and they recommend the matter to the consideration of the Secretary of State in Council."

(*c*) The question as to what action should be taken with reference to the complaints made to the Committee regarding the reservation, in Articles of the Civil Service Regulations, of the right of the Government to cancel or modify the pension and furlough rules from time to time and to interpret their meaning.

2. The Government of India are of opinion that the leave and pension rules, as contained in the Civil Service Regulations, are not open to the charge of ambiguity, though from the necessity of the case they are elaborate and complicated. The Regulations have acquired their present form in the course of years, the object of the modifications made from time to time having been, while assimilating as far as possible the conditions of service for similar classes in different branches of the Administration, to remove all ambiguity from the rules, and to enable, on the one hand, officers to ascertain their rights and privileges, and, on the other hand, to enable Local Governments and executive authorities to decide without reference to the Government of India the great mass of questions in regard to leave and pension which necessarily come before them.

3. In view of the great differences which exist in the conditions of service of the many branches of the public service, and in the circumstances of appointments of officers to different branches and sometimes to the same branch, it is not possible to introduce one scheme of leave and pension rules applicable to all branches of the Civil Service. His Excellency the Governor-General in Council considers that the Civil Service Regulations cannot be materially abbreviated or simplified without risk of causing ambiguity and a return to the former state of uncertainty, which existed before the rules were codified. His Excellency in Council will always bear in mind the desirability of simplifying the rules wherever possible; but the Civil Service Regulations, without any material alteration in form, must for some time continue to be the authoritative declaration of the rules relating to leave and pension.

4. In order, however, that the more important rules regarding leave and pension may be available in a shorter and more convenient form, a pamphlet containing the principal regulations in a condensed form is being prepared, and will be issued hereafter.

5. The remarks of the Committee quoted in clause (*b*) of paragraph 1 of this Resolution have been understood by the Secretary of State and by the Government of India to have reference to the absence of any minimum furlough allowance. The decision on this question is contained in the following extracts from the Secretary of State's Despatch of the 25th June 1891 :—

"I concur with Your Excellency in thinking that there are certain cases in which it is desirable to guarantee a minimum leave allowance, but I am of opinion that it will be sufficient to give £200 a year, or 75 per cent. of the last salary in India, converted at the rate annually fixed for adjustment, whichever of the two sums may be the less.

* * * * * * * *

"The leave rules are, in my opinion, sufficiently liberal in the concessions made to those who voluntarily take leave of absence ; and if they desire to come to this country, I see no reason for giving them an increase of pay beyond that at present permissible. There is, however, a difference in the case of persons whose health may have broken down in India, and who are ordered by a Medical Board to seek the restoration of their health in a temperate climate. Such officers have no option in the matter ; and it is reasonable to allow them such a moderate amount of pay as may enable them to avail themselves of the leave ordered for them. Hence I am disposed, if Your Excellency should agree, to consent to the grant of the minimum rates above mentioned in cases of sick leave, and to half those rates in similar cases where quarter pay is at present admissible. I leave it to Your Excellency to determine from what date the privilege should commence."

His Excellency the Governor-General in Council has accepted these proposals and has fixed the 1st July 1891 as the date from which they shall have effect.

6. Her Majesty's Secretary of State for India, having examined the particular instances which were mentioned in support of the complaints referred to in clause (*c*) of paragraph 1 of this Resolution, regarding the manner in which the right to alter the leave and pension rules had been exercised by the Government of India, expressed the opinion that in none of them had there been any interference with the rights of the servants of the Government. The Government of India have always been careful to exercise the right of altering rules with due consideration for the rights of their servants. The ordinary course adopted to prevent hardship arising from any change of rule found necessary has been either to defer the introduction of the change for some time after its publication, or to give the officers affected the right of choosing whether they shall come under the operation of the old or of the new rules. It has been decided that the right of altering rules must be maintained, that care should be taken, as in the past, to prevent the introduction of any new rules from operating harshly, but that the Local Governments and the Government of India should not consider themselves precluded from recommending an exception in any case of individual hardship which may arise in spite of the precautions taken. If any case of apparent hardship arises, the local authorities should understand that, when the officer applies to retire, they are not precluded from examining into its merits and ascertaining whether, in their opinion, he has substantially suffered from the introduction of a rule not in force at the time he entered the service. If, after comparing the advantages secured to the officer by the altered

rules with any disadvantages incidentally involved, they find that he has on the whole substantially suffered, the point may be taken into consideration in determining whether some compensation ought not to be ganted in the particular instance.

7. A list of amendments to the Civil Service Regulations is appended to this Resolution, showing the additions and corrections made in accordance with the foregoing decisions.

ORDER.—Ordered, that this Resolution be communicated to all Departments of the Government of India; to all Local Governments and Administrations; to the Comptroller and Auditor-General; to all Accountants-General and Comptrollers; the Director-General of Post Offices; the Mint and Assay Masters, Calcutta and Bombay; the Commissioner, Northern India Salt Revenue; and the Superintendent, Government Printing, India.

Ordered also, that the Resolution be published in the *Gazette of India* for general information.

ADDENDA AND CORRIGENDA TO THE CIVIL SERVICE REGULATIONS.

PAGE 3.

Insert the following as a "Note" after Article 7:—

The following extract from a Resolution of the Government of India No. dated , related to the exercise of the right reserved in Articles 6 to 7 to alter the leave and pension rules from time to time :—

"Her Majesty's Secretary of State for India, having examined the particular instances which were mentioned in support of the complaints referred to in clause (*c*) of paragraph 1 of this Resolution, regarding the manner in which the right to alter the leave and pension rules had been exercised by the Government of India, expressed the opinion that in none of them had there been any interference with the rights of the servants of the Government. The Government of India have always been careful to exercise the right of altering rules with due consideration for the rights of their servants. The ordinary course adopted to prevent hardship arising from any change of rule found necessary has been either to defer the introduction of the change for some time after its publication, or to give the officers affected the right of choosing whether they shall come under the operation of the old or of the new rules. It has been decided that the right of altering rules must be maintained, that care should be taken, as in the past, to prevent the introduction of any new rules from operating harshly, but that the Local Governments and the Government of India should not consider themselves precluded from recommending an exception in any case of individual hardship which may arise in spite of the precautions taken. If any case of apparent hardship arises, the local authorities should understand that, when the officer applies to retire, they are not precluded from examining into its merits and ascertaining whether, in their opinion, he has substantially suffered from the introduction of a rule not in force at the time he entered the service. If, after comparing the advantages secured to the officer by the altered rules with any disadvantages incidentally involved, they find that he has on the whole substantially suffered, the point may be taken into consideration in determining whether some compensation ought not to be granted in the particular instance."

PAGE 83.

Article 346 (*c*).

Substitute the following for this rule:—

(*c*) In the case of any other officer subject to these rules—

If on furlough other than furlough on medical certificate out of India.

MAXIMA.

If paid at the Home Treasury of the Government of India, £200 a quarter; no minimum.

If paid in India, R666⅔ a month ; no minimum.

If on furlough on medical certificate out of India.

MAXIMA.

If paid at the Home Treasury of the Government of India, £200 a quarter.

If paid in India, R666⅔ a month.

MINIMA.

If paid at the Home Treasury of the Government of India, £200 a year, or three-fourths of last salary, whichever is less.

If paid in India, R166⅔ a month, or three-fourths of last salary, whichever is less.

Article 347 (*ii*).

Substitute the following for this rule :—

(*ii*) If an officer not in the Indian Civil Service or in the Army, to £120 a quarter paid at the Home Treasury, or R400 a month paid in India, or to one-quarter of his *average* salary, whichever is less. When the furlough is on medical certificate out of India, the following minima shall apply instead of one-quarter salary :—

MINIMA.

If paid at the Home Treasury of the Government of India, £100 a year, or 37½ per cent. of his last salary, whichever is less.

If paid in India R83⅓ a month, or 37½ per cent. of his last salary, whichever is less.

Article 374.

Substitute the following for this article :—

374 (*a*).—Half "*average salary*" is subject to the following maxima and minima :—

MAXIMA.

If paid at the Home Treasury of the Government of India, £150 a quarter.

If paid in India, R500 a month.

MINIMA.

(*i*) *On leave on medical certificate out of India.*

If paid at the Home Treasury of the Government of India, £200 a year, or three-fourths of last salary, whichever is less.

If paid in India, R166⅔ a month, or three-fourths of last salary, whichever is less.

(*ii*) *On leave other than leave on medical certificate out of India.*

In the case of non-gazetted officers whose salary is not less than R300 a month, R150 a month.

(*b*) One-quarter "*average salary*" is subject to the following maxima and minima :—

MAXIMA.

If paid at the Home Treasury of the Government of India, £120 a quarter.

If paid in India, R400 a month.

MINIMA.

(*i*) *On leave on medical certificate out of India.*

If paid at the Home Treasury of the Government of India, £100 a year, or 37½ per cent. of last salary, whichever is less.

If paid in India, R83⅓ a month, or 37½ per cent. of last salary, whichever is less.

(*ii*) *On leave other than leave on medical certificate out of India.*

In the case of non-gazetted officers whose salary is not less than R300 a month, R75 a month.

J. F. FINLAY,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 4*th December* 1891.

FURLOUGH AND LEAVE.

No. 1125.—The undermentioned officers and warrant officers have been granted extensions of furlough or leave by the Secretary of State for India :—

Colonel R. P. Nisbet, C.I.E., Staff Corps, Resident, 2nd Class, Resident, Kashmir, (p. a.) for three months.

* * * * *

E. H. H. COLLEN,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 17, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 12TH, 1891.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

The 10*th December* 1891.

No. 1641.—With reference to Home Department Notification No. 1577, dated the 3rd instant, the Governor-General in Council is pleased to appoint Mr. Denzil Charles Jelf Ibbetson, Deputy Commissioner, Punjab, to be a Member of the Commission to enquire into and report upon the working of the Deccan Agriculturists Relief Act, *vice* Mr. C. M. Rivaz.

ECCLESIASTICAL.

The 10*th December* 1891.

No. 407.—The Reverend H. Naish, a Junior Chaplain on the (Bengal Calcutta) Ecclesiastical Establishment, reported his arrival on the afternoon of the 30th November 1891.

Mr. Naish's services are placed at the disposal of the Government of the Punjab with effect from the date on which he may take over charge of his duties under that Government.

C. J. LYALL,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 24, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 12TH, 1891.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Calcutta, the 7th December 1891.

No. 423.—The following reversions of Chief and Superintending Engineers are ordered with effect from the dates specified :—

NAMES.	From	To	Date.
* *	* *	* *	*
Hilton, J. E.	Superintending Engineer, 3rd class, temporary rank.	Executive Engineer, 1st grade.	21st October.
* *	* *	* *	*
Miller, Lieut.-Col. J. F. J., S. C.	Superintending Engineer, 2nd class, temporary rank.	Superintending Engineer, 3rd class.	22nd October.
* *	* *	* *	*
Higham, T.	Chief Engineer, 3rd class, temporary rank.	Superintending Engineer, 2nd class.	22nd October.
Jacob, Lieut.-Col. S. L., R. E. ...	Superintending Engineer, 2nd class, temporary rank.	Superintending Engineer, 3rd class.	22nd October.
Sibold, E. A.	Superintending Engineer, 3rd class, temporary rank.	Executive Engineer, 1st grade.	22nd October.

The 10th December 1891.

No. 430.—Mr. W. E. T. Bennet, Executive Engineer, 4th Grade, sub. *pro tem.*, Bilúchistán, is permanently transferred to the Punjab.

J. G. FORBES, *Colonel, R.E.,*
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 19TH, 1891.

FINANCE AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

SEPARATE REVENUE.

POST OFFICE.

POSTAGE RATES.

Foreign.

The 18th December 1891.

No. 5085.—In exercise of the power conferred by Section 21 of the Indi[an] Post Office Act, XIV of 1866, and in modification of all existing notifications conflict[ing] herewith, the Governor-General in Council directs that, with the exceptions specified in t[he] annexed Schedule A, the postage on post-cards from British India to the United Kingdom [or] to any British Colony or Possession, or any foreign country or Post Office which is, or m[ay] hereafter be, comprised in the Universal Postal Union, shall, with effect from the 1st day [of] January 1892, be *one anna for each Single Post-card* and *two annas for each Reply Po[st]-card* :—

SCHEDULE A.

To	Rate of Post-card Postage.
Ceylon by land Post or by Indian Packet	Indian Inland Rates.
French and Portuguese Possessions in India	
Persia, Indian Offices	
Turkey in Asia and Guadur (Mekran Coast), Indian Offices	

No. 5086.—In exercise of the power conferred by Section 21 of the Indian Post Of[fice] Act, XIV of 1866, and in modification of all existing notifications conflicting herewith, [the] Governor-General in Council directs that, with the exceptions specified in the anne[xed] Schedule A, the rates of postage on packets of Printed Papers (including Newspapers), Le[gal] and Commercial Documents and Samples sent through the Post on and after the 1st day [of] January, 1892, from British India to the United Kingdom, or to any British Colony [or] Possession, or any foreign country or Post Office, which is, or may hereafter be, comprised [in] the Universal Postal Union, shall be the rates specified in the annexed Schedule B:—

SCHEDULE A.

To	Rates of Postage.
Ceylon by land Post or by Indian Packet	India Inland Rates.
French and Portuguese Possessions in India	
Persia, Indian Offices	
Turkey in Asia and Guadur (Mekran Coast), Indian Offices	

SCHEDULE B.

Class.	Rates of Postage.
Printed Papers (including Newspapers).	Half an anna per two ounces.
Legal and Commercial Documents.	Half an anna per two ounces, but the lowest charge for each packet shall be two annas even if it weighs less than two ounces.
Samples	Half an anna per two ounces, but the lowest charge for each packet shall be one anna even if it weighs less then two ounces.

J. F. FINLAY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 18th December 1891.

FURLOUGH AND LEAVE.

No. 1172.—Captain G. H. Watson, Staff Corps, Cantonment Magistrate, 2nd Class, Punjab, is granted leave till 16th October 1891, in extension of that allowed in G. G. O. No. 406 of 1891.,

No. 1173.—Lieutenant-Colonel R. Bartholomew, General List, Cavalry, Deputy Commissioner, 1st Grade, Punjab, is granted furlough in and out of India (m. c.) for one year under rule XIV, clause 1, of the regulations of 1868, with effect from the 11th November 1891.

E. H. H. COLLEN,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

The 14th December 1891.

No. 433.—Lieutenant William Menzies Coldstream, R. E., is appointed to the Public Works Department as an Assistant Engineer, 2nd Grade, and is posted to the Punjab.

J. G. FORBES, *Colonel, R. E.,*

Secretary to the Government of India.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, DECEMBER 31, 1891.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 26TH, 1891.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

The 23*rd December* 1891.

No. 802.—The services of Surgeon J. Murray, Bengal Establishment, are placed temporarily at the disposal of the Punjab Government, with effect from the date on which Surgeon-Major S. H. Browne returned to duty, to fill an existing vacancy.

C. J. LYALL,
Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 25*th December* 1891.

VOLUNTEER CORPS.

PROMOTIONS.

No. 1197.—*3rd Punjab (North-Western Railway) Volunteer Rifle Corps*—

Lieutenant Edward William Thelwall to be Captain, with effect from the 15th November 1891, *vice* Upcott, transferred to the supernumerary list.

RESIGNATIONS.

No. 1200.—*1st Punjab Volunteer Rifle Corps*—

Lieutenant W. E. Greenwood resigns his commission.

E. H. H. COLLEN,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, FEBRUARY 12, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th January, 1891, and is hereby promulgated for general information:—

ACT NO. I OF 1891.

An Act to amend the Cattle-trespass Act, 1871, and incorporate therein Act XVIII of 1883.

WHEREAS it is expedient to amend the Cattle-trespass Act, 1871, and incorporate therein Act XVIII of 1883 (*to amend the Cattle-trespass Act, 1871*); It is hereby enacted as follows:—

Substitution of new section for section 1, Act I, 1871.

1. For section 1 of the Cattle-trespass Act, 1871, the following shall be substituted, namely:—

Title and extent.

"1. (*1*) This Act may be called the Cattle-trespass Act, 1871; and

(*2*) It extends to the whole of British India except the Presidency-towns and such local areas as the Local Government, by notification in the official Gazette, may from time to time exclude from its operation.

(*3*) The Local Government may at any time, by notification in the official Gazette, cancel or vary a notification under sub-section (*2*)."

Additions to section 3, Act I, 1871.

2. To section 3 of the said Act the following shall be added, namely:—

", and

"'Local authority' means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area, and

"'Local fund' means any fund under the control or management of a local authority."

Amendment of section 10, Act I, 1871.

3. In section 10 of the said Act, for the words "take them or cause them to be taken without unnecessary delay" the words "send them or cause them to be sent within twenty-four hours" shall be substituted.

Amendment of section 11, Act I, 1871.

4. In section 11 of the said Act, for the words "take them without unnecessary delay" the words "send them or cause them to be sent within twenty-four hours" shall be substituted.

Additions to section 12, Act I, 1871.

5. (*1*) To the first paragraph of section 12 of the said Act, prescribing the scale according to which the pound-keeper is to levy a fine for every head of cattle impounded, the following proviso shall be added, namely:—

"Provided that, when it appears to the Local Government from the report of a Magistrate of a District, or on the representation of a local authority, that, in any local area subject to the jurisdiction or control of such Magistrate or authority, cattle are habitually allowed to trespass on land and damage crops or other produce thereon, the Local Government may, by notification in the official Gazette, direct that, for every head of cattle of any kind specified therein which may be seized within such local area and impounded as aforesaid, the pound-keeper shall levy such fine, not exceeding double the fine mentioned in the foregoing scale, as may be prescribed in the notification."

(*2*) After the third paragraph of the same section the following shall be added, namely:—

"The Local Government may at any time, by notification in the official Gazette, cancel or vary a notification under the proviso to the first paragraph of this section."

Substitution of new Chapter for Chapter V, Act I, 1871.

6. For Chapter V of the said Act the following shall be substituted, namely:—

"CHAPTER V.

"COMPLAINTS OF ILLEGAL SEIZURE OR DETENTION.

"20. Any person whose cattle have been seized under this Act, or, having been so seized, have been detained in contravention of this Act, may, at any time within ten days from the date of the seizure, make a complaint to the Magistrate of the District or any Magistrate authorized to receive and try charges without reference by the Magistrate of the District.

Power to make complaints.

"21. The complaint shall be made by the complainant in person, or by an agent personally acquainted with the circumstances. It may be either in writing or verbal. If it be verbal, the substance of it shall be taken down in writing by the Magistrate.

Procedure on complaint.

"If the Magistrate, on examining the complainant or his agent, sees reason to believe the complaint to be well founded, he shall summon the person complained against, and make an enquiry into the case.

"22. If the seizure or detention be adjudged illegal, the Magistrate shall award to the complainant for the loss caused by the seizure or detention, reasonable compensation, not exceeding one hundred rupees, to be paid by the person who made the seizure or detained the cattle, together with all fines paid and expenses incurred by the complainant in procuring the release of the cattle;

Compensation for illegal seizure or detention.

and, if the cattle have not been released, the Magistrate shall, besides awarding such compensation, order their release and direct that the fines and expenses leviable under this Act shall be paid by the person who made the seizure or detained the cattle.

Release of cattle.

"23. The compensation, fines and expenses mentioned in section twenty-two may be recovered as if they were fines imposed by the Magistrate."

Recovery of compensation.

7. In section 25 of the said Act the words "under the next following section or" shall be inserted between the words "Any fine imposed" and the words "for the offence of mischief".

Amendment of section 25, Act I, 1871.

8. To section 26 of the said Act the following shall be added, namely:—

Addition to section 26, Act I, 1871.

"The Local Government, by notification in the official Gazette, may from time to time, with respect to any local area specified in the notification, direct that the foregoing portion of this section shall be read as if it had reference to cattle generally, or to cattle of a kind described in the notification, instead of to pigs only, or as if the words 'fifty rupees' were substituted for the words 'ten rupees' or as if there were both such reference and such substitution.

"The Local Government may at any time, by notification in the official Gazette, cancel or vary a notification under this section."

Addition of new Chapter after Chapter VII, Act I, 1871.

9. After Chapter VII the following shall be added, namely:—

"CHAPTER VIII.

"SUPPLEMENTAL.

Power for Local Government to transfer certain functions to local authority and direct credit of surplus receipts to local fund.

"31. The Local Government may, from time to time, by notification in the official Gazette—

(a) transfer to any local authority, within any part of the territories under its administration in which this Act is in operation, all or any of the functions of the Local Government or the Magistrate of the District under this Act, within the local area subject to the jurisdiction of the local authority, or

(b) direct that the whole or any part of the surplus accruing in any district under section eighteen of this Act shall be placed to the credit of such local fund or funds as may be formed for any local area or local areas comprised in the district,

and may, from time to time, by notification in the official Gazette, cancel or vary any notification under this section."

Repeal of Act XVIII, 1883.

10. Act XVIII of 1883 (*to amend the Cattle-trespass Act, 1871*) is hereby repealed:

Provided that orders which have been made and notified under that Act by the Local Government and are in force immediately before the commencement of this Act shall be deemed to have been made under the Cattle-trespass Act, 1871, as amended by this Act.

Amendment of section 6 (3), Act XIII, 1889.

11. In section 6, sub-section (3), of the Cantonments Act, 1889, for the words and figures "Act XVIII of 1883 (*to amend the Cattle-trespass Act, 1871,*)" the words and figures "the Cattle-trespass Act, 1871," shall be substituted.

Saving of references.

12. Any enactment or document referring to the Cattle-trespass Act, 1871, or to Act XVIII of 1883 (*to amend the Cattle-trespass Act, 1871*) shall be construed to refer to the Cattle-trespass Act, 1871, as amended by this Act.

Commencement.

13. This Act shall come into force on the first day of April, 1891.

S. HARVEY JAMES,
Secretary to the Government of India.

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LAHORE, THURSDAY, FEBRUARY 19, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 6th February, 1891, and is hereby promulgated for general information :—

ACT No. II OF 1891.

An Act to amend the Indian Christian Marriage Act, 1872.

WHEREAS it is expedient to amend the Indian Christian Marriage Act, 1872; It is hereby enacted as follows :—

Substitution of new section for section 6, Act XV, 1872.

1. (*1*) For section 6 of the Indian Christian Marriage Act, 1872, the following shall be substituted, namely :—

Grant and revocation of licenses to solemnize marriages.

"6. The Local Government, so far as regards the territories under its administration, and the Governor General in Council, so far as regards any Native State, may, by notification in the local official Gazette or in the Gazette of India, as the case may be, grant licenses to Ministers of Religion to solemnize marriages within such territories and State, respectively, and may, by a like notification, revoke such licenses."

(*2*) A license to solemnize marriages granted to a Minister of Religion under Act XXV of 1864 (*to provide further for the solemnization of marriages in India of persons professing the Christian Religion*) shall be deemed, if in force on the day on which the Indian Marriage Act, 1865, came into force, to have been, while that Act was in force, a license granted under that Act, and, if in force on the day on which the Indian Christian Marriage Act, 1872, came into force, to have been, since that Act came into force, a license granted under that Act.

(*3*) A license to solemnize marriages granted to a Minister of Religion under Act XXV of 1864 (*to provide further for the solemnization of marriages in India of persons professing the Christian Religion*), the Indian Marriage Act, 1865, or the Indian Christian Marriage Act, 1872, shall, if in force immediately before the commencement of this Act, be deemed to have been granted under the Indian Christian Marriage Act, 1872, as amended by sub-section (*1*) of this section.

(*4*) Act XV of 1884 (*for the validation of certain licenses to solemnize Marriages granted to Ministers of Religion under Act XXV of 1864*) is hereby repealed.

Addition to proviso to section 10, Act XV, 1872.

2. To the proviso to section 10 of the said Act the following shall be added, namely :—

"or

"(*3*) a Clergyman of the Church of Scotland solemnizing a marriage according to the rules, rites, ceremonies and customs of the Church of Scotland."

Amendment of section 11, Act XV, 1872.

3. In section 11 of the said Act, after the words "other than a church" the words "where worship is generally held according to the forms of the Church of England" shall be added, and between the word "no" and the word "church" in the expression "unless there is no church" the word "such" shall be inserted.

Substitution of new section for section 62, Act XV, 1872.

4. (*1*) For section 62 of the said Act the following shall be substituted, namely :—

Keeping of register-book and deposit of extracts therefrom with Registrar General.

"62. (*1*) Every person licensed under section 9 shall keep in English, or in the vernacular language in ordinary use in the district or State in which the marriage was solemnized, and in such form

as the Local Government by which he was licensed may from time to time prescribe, a register-book of all marriages solemnized under this Part in his presence, and shall deposit in the office of the Registrar General of Births, Deaths and Marriages for the territories under the administration of the said Local Government, in such form and at such intervals as that Government may prescribe, true and duly authenticated extracts from his register-book of all entries made therein since the last of those intervals.

"(2) Where the person keeping the register-book was licensed as regards a Native State by the Governor General in Council, references in sub-section (1) to the Local Government therein mentioned shall be read as references to the Local Government to whose Registrar General of Births, Deaths and Marriages certified copies of entries in registers of births and deaths are for the time being required to be sent under section 24, sub-section (2), of the Births, Deaths and Marriages Registration Act, 1886."

: of 1886.

(2) Clause (c) of section 30 of the Births, Deaths and Marriages Registration Act, 1886, is hereby repealed.

Substitution of new section for section 66, Act XV, 1872.

5. For section 66 of the said Act the following shall be substituted, namely:—

False oath, declaration, notice or certificate for procuring marriage.

"66. Whoever, for the purpose of procuring a marriage or license of marriage, intentionally,—

(a) where an oath or declaration is required by this Act, or by any rule or custom of a Church according to the rites and ceremonies of which a marriage is intended to be solemnized, such Church being the Church of England or of Scotland or of Rome, makes a false oath or declaration, or,

(b) where a notice or certificate is required by this Act, signs a false notice or certificate,

shall be deemed to have committed the offence punishable under section 193 of the Indian Penal Code with imprisonment of either description for a term which may extend to three years and, at the discretion of the Court, with fine."

XLV of 1860.

6. For section 68 of the said Act the following shall be substituted, namely:—

Substitution of new section for section 68, Act XV, 1872.

"68. Whoever, not being authorized by section 5 of this Act to solemnize marriages, solemnizes or professes to solemnize, in the absence of

Solemnizing marriage without due authority.

a Marriage Registrar of the district in which ceremony takes place, a marriage between sons one or both of whom is or are a Christian Christians, shall be punished with imprisonm which may extend to ten years, or (in lieu sentence of imprisonment for seven years upwards) with transportation for a term of less than seven years, and not exceeding years,

or, if the offender is an European or American, with penal servitude according to provisions of Act XXIV of 1855 (*to substitute penal servitude for the punishment of transportation in respect of European and American convicts, and to amend the law relating to removal of such convicts*),

and shall also be liable to fine."

Addition to section 69, Act XV, 1872.

7. To section 69 of the said Act the following shall be added, namely:—

"Nor does this section apply to marriages solemnized by a Clergyman of the Church of Scotland according to the rules, rites, ceremonies and customs of the Church of Scotland."

Amendment of sections 71 and 72, Act XV, 1872.

8. (1) For clause (2) of section 71 of the said Act the following shall be substituted, namely:—

"(2) after the expiration of two months after the copy of the notice has been entered as required by section 40 in respect of any marriage, solemnizes such marriage;".

(2) In section 72 of the said Act, for the words "three months" the words "two months" shall be substituted.

9. To section 74 of the said Act the following shall be added, namely:—

Addition to section 74, Act XV, 1872.

"Whoever, being licensed to grant certificates of marriage under Part VI of this Act, without just cause refuses, or wilfully neglects or omits to perform any of the duties imposed upon him by that Part shall be punished with fine which may extend to one hundred rupees."

10. Section 86 of the said Act shall be read as if the words "situate within or bordering on" instead of the words "situate within the local limits of" had been enacted in that section when the Act was passed.

Amendment of section 86, Act XV, 1872.

S. HARVEY JAMES,

Secretary to the Government of India.

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LAHORE, THURSDAY, FEBRUARY 26, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 13th February, 1891, and is hereby promulgated for general information :—

ACT NO. III OF 1891.

An Act to amend the Indian Evidence Act, 1872, and the Code of Criminal Procedure, 1882.

WHEREAS it is expedient to amend the Indian Evidence Act, 1872, and the Code of Criminal Procedure, 1882; It is hereby enacted as follows :—

Indian Evidence Act, 1872.

Amendment of section 14, Act I, 1872.

1. (*1*) For the *Explanation* to section 14 of the Indian Evidence Act, 1872, the following shall be substituted, namely :—

"*Explanation 1.*—A fact relevant as showing the existence of a relevant state of mind must show that the state of mind exists, not generally, but in reference to the particular matter in question.

"*Explanation 2.*—But where, upon the trial of a person accused of an offence, the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be a relevant fact."

(*2*) For *Illustration* (*b*) to the same section the following shall be substituted, namely :—

"(*b*) *A* is accused of fraudulently delivering to another person a counterfeit coin which, at the time when he delivered it, he knew to be counterfeit.

The fact that, at the time of its delivery, *A* was possessed of a number of other pieces of counterfeit coin is relevant.

The fact that *A* had been previously convicted of delivering to another person as genuine a counterfeit coin knowing it to be counterfeit is relevant."

Amendment of section 15, Act I, 1872.

2. In section 15 of the said Act, after the word "intentional," there shall be inserted the words "or done with a particular knowledge or intention,".

Addition to section 26, Act I, 1872.

3. To section 26 of the said Act the following shall be added, namely :—

"*Explanation.*—In this section 'Magistrate' does not include the head of a village discharging magisterial functions in the Presidency of Fort St. George or in Burma or elsewhere, unless such headman is a Magistrate exercising the powers of a Magistrate under the Code of Criminal Procedure, 1882.

Addition of *Explanation* to section 30, Act I, 1872.

4. In section 30 of the said Act, immediately before the *Illustrations* the following shall be inserted, namely :—

"*Explanation.*—'Offence,' as used in this section, includes the abetment of, or attempt to commit, the offence."

Addition to section 43, Act I, 1872.

5. (*1*) To section 43 of the said Act the following *Illustrations* shall be added, namely :—

"(*e*) *A* is charged with theft and with having been previously convicted of theft. The previous conviction is relevant as a fact in issue.

(*f*) *A* is tried for the murder of *B*. The fact that *B* prosecuted *A* for libel and that *A* was convicted and sentenced is relevant under section 8 as showing the motive for the fact in issue."

Substitution of new section for section 54, Act I, 1872.

6. For section 54 of the said Act the following shall be substituted, namely :—

Previous bad character not relevant, except in reply.

"54. In criminal proceedings the fact that the accused person has a bad character is irrelevant, unless evidence has been given that he has a good character, in which case it becomes relevant.

"*Explanation 1.*—This section does not apply to cases in which the bad character of any person is itself a fact in issue.

"*Explanation 2.*—A previous conviction is relevant as evidence of bad character."

Amendment of *explanation* to section 55, Act I, 1872.

7. In the *Explanation* to section 55, after the word "but" there shall be inserted the words and figures "except as provided in section 54".

Amendment of, and addition to, section 86, Act I, 1872.

8. In section 86 of the said Act, for the words "resident in" the words "in or for" shall be substituted, and to the same section the following shall be added, namely :—

"An officer who, with respect to any territory or place not forming part of Her Majesty's dominions, is a Political Agent therefor, as defined in section 3 of the Foreign Jurisdiction and Extradition Act, 1879, and section the Code of Criminal Procedure, 1882, for the purposes of this section, be dee be a representative of the Government o in and for the country comprising that te or place."

Code of Criminal Procedure, 1882.

Amendment of section 310, Act X, 1882.

9. To section 310 of the Code of Cr Procedure, 1882, the lowing shall be a namely :—

"Notwithstanding anything in this se evidence of the previous conviction ma given at the trial for the subsequent of if the fact of the previous conviction is rel under the provisions of the Indian Evid Act, 1872."

S. HARVEY JAMES,

Secretary to the Government of

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 13th February, 1891, and is hereby promulgated for general information :—

ACT NO. IV OF 1891.

An Act to amend the Code of Criminal Procedure, 1882.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1882; It is hereby enacted as follows :—

Repeal of section 250, Act X, 1882.

1. Section 250 of the said Code is hereby repealed.

Enactment of new section in place of repealed section 250, Act X, 1882.

2. To the said Code the following shall be added, namely :—

Frivolous or vexatious accusations.

"560. (*1*) If, in any case instituted by complaint as defined in this Code, or upon information given to a police-officer or to a Magistrate, a person is accused before a Magistrate of any offence triable by a Magistrate, and the Magistrate by whom the case is tried discharges or acquits the accused and is satisfied that the accusation against him was frivolous or vexatious, the Magistrate may, in his discretion, by his order of discharge or acquittal, direct the person upon whose complaint or information the accusation was made to pay to the accused, or to each of the accused where there are more than one, such compensation, not exceeding fifty rupees, as the Magistrate thinks fit:

Provided that, before making any such direction, the Magistrate shall—

(*a*) record and consider any objection which the complainant or informant may urge against the making of the direction, and,

(*b*) if the Magistrate directs any compensation to be paid, state in writing, in his order of discharge or acquittal, his reasons for awarding the compensation.

(*2*) Compensation of which a Magistrate has ordered payment under sub-section (*1*) shall be recoverable as if it were a fine:

Provided that, if it cannot be recovered, the imprisonment to be awarded shall be simple, and for such term, not exceeding thirty days, as the Magistrate directs.

(*3*) A complainant or informant who has been ordered under sub-section (*1*) by a Magistrate of the second or third class to pay compensation to an accused person may appeal from the order, in so far as the order relates to the payment of the compensation, as if such complainant or informant had been convicted on a trial held by such Magistrate.

(*4*) Where an order for payment of compensation to an accused person is made in a case which is subject to appeal under sub-section (*3*), the compensation shall not be paid to him before the period allowed for the presentation of the appeal has elapsed, or, if an appeal is presented, before the appeal has been decided.

(*5*) At the time of awarding compensation in any subsequent civil suit relating to the same matter, the Court shall take into account any compensation paid or recovered under this section."

Repeal of part of section 552, Act X, 1882.

3. The words "or complained against" in the second paragraph of section 552 of the said Code are hereby repealed.

S. HARVEY JAMES,
Secretary to the Government of India.

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LAHORE, THURSDAY, MARCH 26, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 13th March, 1891, and is hereby promulgated for general information :—

ACT NO. IX OF 1891.

An Act to amend the Indian Merchandise Marks Act, 1889, and the Sea Customs Act, 1878.

WHEREAS it is expedient to amend the Indian Merchandise Marks Act, 1889, and the Sea Customs Act, 1878; It is hereby enacted as follows :—

Repeal of part of section 1, Act IV, 1889.

1. In section 1, sub-section (2), of the Indian Merchandise Marks Act, 1889, the words "subject to the provision of the last section of this Act" are hereby repealed.

Repeal of section 19, Act IV, 1889.

2. Section 19 of the Indian Merchandise Marks Act, 1889, and the words "*Transitory Provision*" prefixed to the section, are hereby repealed.

Amendment of section 18 (*e*) (*ii*), Act VIII, 1878.

3. In clause (*e*), sub-clause (*ii*), of section 18 of the Sea Customs Act, 1878, as amended by section 10, sub-section (*1*), of the Indian Merchandise Marks Act, 1889, for the words "that place and the country in which it is situated are" the words "the country in which that place is situated is" shall be substituted.

Additions to Act IV, 1889.

4. After section 18 of the Indian Merchandise Marks Act, 1889, as amended by this Act, the following shall be added, namely :— IV of 1889.

Definition of piece-goods.

"19. For the purposes of section 12 of this Act, and clause (*f*) of section 18 of the Sea Customs Act, 1878, as amended by this Act, the Governor General in Council may, by notification in the Gazette of India, declare what classes of goods are included in the expression 'piece-goods, such as are ordinarily sold by length or by the piece.' VIII of 1878.

Determination of character of goods by sampling.

"20. (*1*) The Governor General in Council may make rules, for the purposes of this Act, to provide, with respect to any goods which purport or are alleged to be of uniform number, quantity, measure, gauge or weight, for the number of samples to be selected and tested and for the selection of the samples.

"(*2*) With respect to any goods for the selection and testing of samples of which provision is not made in any rules for the time being in force under sub-section (*1*), the Court or officer of customs, as the case may be, having occasion to ascertain the number, quantity, measure, gauge or weight of the goods shall, by order in writing, determine the number of samples to be selected and tested and the manner in which the samples are to be selected.

"(*3*) The average of the results of the testing in pursuance of rules under sub-section (*1*) or of an order under sub-section (*2*) shall be *primâ facie* evidence of the number, quantity, measure, gauge or weight, as the case may be, of the goods.

"(*4*) If a person having any claim to, or in relation to, any goods of which samples have been selected and tested in pursuance of rules under sub-section (*1*) or of an order under sub-section (*2*) desires that any further samples of the goods be selected and tested, they shall, on his written application and on the payment in

advance by him to the Court or officer of customs, as the case may be, of such sums for defraying the cost of the further selection and testing as the Court or officer may from time to time require, be selected and tested to such extent as may be permitted by rules to be made by the Governor General in Council in this behalf or as, in the case of goods with respect to which provision is not made in such rules, the Court or officer of customs may determine in the circumstances to be reasonable, the samples being selected in manner prescribed under sub-section (*1*), or in sub-section (*2*), as the case may be.

"(*5*) The average of the results of the testing referred to in sub-section (*3*) and of the further testing under sub-section (*4*) shall be conclusive proof of the number, quantity, measure, gauge or weight, as the case may be, of the goods.

"(*6*) Rules under this section shall be made after previous publication.

Information as to commission of offences.

"**21.** An officer of the Government duty it is to take the enforcement of th shall not be compelled in any Court to say he got any information as to the commis any offence against this Act.

Punishment of abetment in India of acts done out of India.

"**22.** If any person, being within British abets the commission out British India, act which, if commit British India, would under this Act, or any section of that part of Chapter XVIII Indian Penal Code which relates to trade perty and other marks, be an offence, be tried for such abetment in any pla British India in which he may be found, punished therefor with the punishment to he would be liable if he had himself comm in that place the act which he abetted."

S. HARVEY JAMES,

Secretary to the Government of In

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LAHORE, THURSDAY, APRIL 2, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 19th March, 1891, and is hereby promulgated for general information :—

ACT No. X OF 1891.

An Act to amend the Indian Penal Code and the Code of Criminal Procedure, 1882.

60. WHEREAS it is expedient to amend the Indian Penal Code and the Code of Criminal Procedure, 1882; It is hereby enacted as follows :—

Indian Penal Code.

Amendment of section 375, Act XLV, 1860.

60. 1. In section 375 of the Indian Penal Code, in the clause marked *Fifthly* and in the *Exception,* the word "twelve" shall be substituted for the word "ten".

Code of Criminal Procedure, 1882.

Addition of section after section 560, Act X, 1882.

2. After section 560 of the Code of Criminal Procedure, 1882, the following shall be added, namely :—

Special provisions with respect to offence of rape by a husband.

"561. (1) Notwithstanding anything in this Code, no Magistrate except a Chief Presidency Magistrate or District Magistrate shall—

(a) take cognizance of the offence of rape where the sexual intercourse was by a man with his wife, or

(b) commit the man for trial for the offence :

"(2) And, notwithstanding anything in this Code, if a Chief Presidency Magistrate or District Magistrate deems it necessary to direct an investigation by a Police-officer with respect to such an offence as is referred to in sub-section (1) of this section, no Police-officer of a rank below that of Police Inspector shall be employed either to make, or to take part in, the investigation."

Amendment of Schedule II, Act X, 1882.

3. In Schedule II to the said Code, for the entry respecting section 376 of the Indian Penal Code the following shall be substituted, namely :—

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.	Column 6.	Column 7.	Column 8.
376	Rape— If the sexual intercourse was by a man with his own wife.	Shall not arrest without warrant.	Summons	Bailable .	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session.
	In any other case .	May arrest without warrant.	Warrant.	Not bailable.	Ditto .	Ditto . .	Ditto.

S. HARVEY JAMES,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 19th March, 1891, and is hereby promulgated for general information :—

ACT NO. XI OF 1891.

An Act to amend the Indian Factories Act, 1881.

WHEREAS it is expedient to amend the Indian Factories Act, 1881; It is hereby enacted as follows :—

Short title and commencement.

1. (*1*) This Act may be called the Indian Factories Act, 1891; and

(*2*) It shall come into force on the first day of January, 1892.

Repeal of part of section 1, Act XV of 1881.

2. The words and figures "and shall come into force on the first day of July, 1881," in section 1 of the Indian Factories Act, 1881, are hereby repealed.

Amendment of definition of "factory" in section 2, Act XV, 1881.

3. For clause (*b*) in section 2 of the said Act, in the definition of the word "factory", the following shall be substituted, namely :—

"(*b*) wherein, subject to the provisions of section 20, not less than fifty persons are on any day simultaneously employed in any manual labour in, or incidental to, any such process; and".

Amendment of definition of "employed" in section 2, Act XV, 1881.

4. (*1*) For the word "child" in the same section of the said Act, in the definition of the word "employed", the word "person" shall be substituted.

(*2*) In the same section of the said Act, in the definition of the word "employed", the word "either" is hereby repealed.

Amendment of sections 2, 4, 5 and 16, Act XV, 1881.

5. For the word "twelve" in sections 2, 4, 5 and 16 of the said Act the word "fourteen" shall be substituted.

Amendment of section 3, Act XV, 1881.

6. (*1*) In the first paragraph of section 3 of the said Act, after the word "appoint" the words "by name or by office" shall be inserted.

(*2*) For the second paragraph of the same section of the said Act the following shall be substituted, namely :—

"The District Magistrate shall, in virtue of his office, be an Inspector of all factories, if any, in his district."

Amendment of section 4, Act XV, 1881.

7. In clause (*b*) of section 4 of the said Act, for the word "provisions" the word "purposes" shall be substituted.

Amendment of section 5, Act XV, 1881.

8. In section 5 of the Act, before the word "examine" the words "and on payment by such person of such fee, if any, as may from time to time be prescribed by the Governor General in Council by notification in the Gazette of India" shall be inserted.

Amendment of sections 4, 5 and 16, Act XV, 1881.

9. For the word "seven" in sections 4, 5 and 16 of the said Act the word "nine" shall be substituted.

Substitution of new sections for sections 6 to 11, Act XV, 1881.

10. For sections 6 to 11, both inclusive, of the said Act, and for the heading "*Children*" prefixed to the said section 6, the following shall be substituted, namely :—

"*All Operatives.*

Limited stoppage of work daily in certain circumstances.

"5A. (*1*) In every factory, except a factory in which a system of employment in shifts or sets approved by the local Inspector is in force, there shall between noon and two o'clock in the afternoon be a stoppage of work for a full half-hour :

(*2*) Provided that nothing in this section shall apply to any factory of a class to which the Governor General in Council has, by notification in the Gazette of India, declared this section not to apply.

Holidays.

"5B. (*1*) No person shall be employed in any factory on a Sunday :

(*2*) Provided as follows :—

(*a*) any manager, foreman, mechanic, artisan or labourer may be employed in a factory on a Sunday in examining or repairing, or in supervising or aiding in the examination or repair of, any machinery or other thing whatsoever necessary for the carrying on of the work performed in the factory;

(*b*) any person may be employed in a factory on a Sunday if he has had or will have a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday;

(*c*) the Local Government may from time to time, by notification in the official Gazette, declare sub-section (*1*) of this section not to apply to any factory or class of factories (the factory or class being described in the notification) in which the work performed—

(*i*) necessitates continuous production for technical reasons, or

(*ii*) supplies the public with articles of prime necessity which must be made every day, or

(*iii*) by its nature cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces; and

(*d*) the Governor General in Council may from time to time, by notification in the Gazette of India, declare sub-section (*1*) of this section not to apply to factories of any class described in the notification.

"*Women.*

Employment of women.

"6. (*1*) No woman shall be employed before five o'clock in the morning or after eight o'clock in the evening in any factory in which a system of employment in shifts or sets approved by the local Inspector is not in force.

(*2*) No woman shall be actually employed in any factory in any one day for more than eleven hours.

(*3*) Every woman shall be allowed an interval or intervals of rest amounting in the aggregate to at least an hour-and-a-half in the day when she is actually employed for eleven hours and to a proportionately less time when she is actually employed for less than eleven hours.

(*4*) The Governor General in Council may from time to time, by notification in the Gazette of India, declare all or any of the foregoing sub-sections of this section not to apply to factories of any class described in the notification or to women employed in any process so described.

"*Children.*

Employment of children.

"7. (*1*) No child shall be employed in any factory if he is under the age of nine years.

(*2*) No child shall be employed in any factory before five o'clock in the morning or after eight o'clock in the evening.

(*3*) No child shall be actually employed in any factory for more than seven hours in any one day.

(*4*) Every child who is actually employed in any factory for six hours in any one day shall be allowed an interval or intervals of rest amounting in the aggregate to at least half-an-hour.

Prohibition of employment of child in certain dangerous work.

"8. No occupier of a factory shall allow any child to clean any part of the mill-gearing or machinery of such factory while the same is in motion, or to work between the fixed and traversing parts of any self-acting machine while such machine is in motion by the action of the steam-engine, water-wheel or other mechanical power, as the case may be.

Register of children in a factory.

"9. The Local Government may direct any occupier of a factory to keep, in such form and with such particulars as such Government may from time to time prescribe, registers of the children (if any) employ-ed in such factory, and of their respective em-ployments.

"*Women and Children.*

Provisions supplementary to sections 6 and 7.

"10. (*1*) The occupier shall set up and main-tain, in some conspicuous place in the factory, printed or written notices in English and the languages of the district in which the factory is situated, showing the times at which such intervals as are required by section 6, sub-section (*3*), and section 7, sub-section (*4*), to be allowed to women and children, respectively, shall be allowed and the length of each interval.

(*2*) A woman or child shall not be deemed to be actually employed within the meaning of section 6 or section 7 during any such interval as aforesaid.

Prohibition of employment of woman or child in two factories on same day.

"11. No occupier of a factory shall employ therein on any day a woman or child who to his knowledge has al-ready been employed on the same day in any other factory."

Amendment of section 12, Act XV, 1881.

11. In clause (*a*) of section 12 of the said Act the word "or", where it first occurs, is hereby re-pealed.

Amendment of section 13, Act XV, 1881.

12. In section 13 of the said Act, after the word "hours" the word "next" shall be inserted, and for the words "the accident" the words "the accident" shall be substituted.

Amendment of section 14, Act XV, 1881.

13. (*1*) In section 14 of the said Act, before the words "the place" the words "and of" shall be inserted.

(*2*) The words "(if any)" in the same section of the said Act are hereby repealed.

Substitution of new section for section 15, Act XV, 1881.

14. For section 15 of the said Act the following shall be substituted, namely:—

Penalties.

"15. (*1*) Any person who, in breach of this Act or of any order or rule made thereunder,—

(*a*) employs any person in any factory;

(*b*) allows any child to perform the work forbidden by, or to work in contravention of, section 8;

(*c*) neglects to keep a register in manner prescribed under section 9;

(*d*) neglects to set up or maintain the notices required by section 10, sub-section (*1*);

(*e*) neglects to fence any machinery or mill-gearing in any factory;

(*f*) neglects to maintain a supply of water for the use of persons employed in the factory;

(*g*) neglects to ventilate any factory or to keep any factory in a cleanly state and free from effluvia arising from any drain, privy or other nuisance;

(*h*) suffers any factory to be so overcrowded, while work is carried on therein, as to be injurious to the health of the persons employed therein; or

(*i*) neglects to send any notice or furnish any return,

shall be punished with fine which may extend to two hundred rupees:

Provided that—

(*i*) no prosecution under this sub-section shall be instituted except by, or with the previous sanction of, the local Inspector; and

(*ii*) no person shall be liable under this sub-section to more than one penalty for any one description of offence committed on the same day, except where two or more persons are employed contrary to the provisions of this Act, in which case one penalty may be imposed in respect of each person so employed.

(*2*) Any person who corruptly uses or attempts to use, as a certificate granted to himself under section 5, a certificate granted to another person under that section, or who, having procured a certificate under the said section, corruptly allows it to be used, or an attempt to use it to be made, by another person, shall be punished with fine which may extend to twenty rupees."

Amendment of section 17, Act XV, 1881.

15. For section 17 of the said Act the following shall be substituted, namely:—

Occupier primarily liable for breaches of Act or orders or rules thereunder.

"17. Every occupier of a factory shall be deemed primarily liable for any breach therein of this Act or of any order or rule made thereunder; but he may discharge himself from such liability by proof that such breach was committed by some other person without his knowledge or consent, and in that case the person committing such breach shall be liable therefor."

Amendment of section 18, Act XV, 1881.

16. (*1*) For section 18 of the said Act the following shall be substituted, namely:—

Power to make rules.

"18. (*1*) Subject to the control of the Governor General in Council, the Local Government may from time to time make rules consistent with this Act to provide for—

(*a*) the fencing of machinery and mill-gearing in factories;

(*b*) the water-supply to be maintained for the use of persons employed in factories;

(*c*) the ventilation of factories and their cleanliness (including lime-washing, painting, varnishing and washing) and freedom from effluvia arising from any drain, privy or other nuisance;

(*d*) the prevention of such overcrowding of factories, while work is carried on therein, as is likely to be injurious to the health of the persons employed therein;

(*e*) the inspection of factories;

(*f*) the manner in which appeals under this Act are to be presented and heard; and

(*g*) otherwise carrying out the purposes of this Act.

(*2*) The Governor General in Council may from time to time make rules requiring occupiers of factories to furnish such returns, occasional or periodical, as may be necessary for the effectual carrying out of this Act.

(*3*) Such rules shall be published in the local official Gazette, or the Gazette of India, as the case may be, and shall thereupon have the force of law.

(*4*) Before making rules under clause (*b*), clause (*c*) or clause (*d*) of sub-section (*1*) of this section the Local Government, and before making rules under sub-section (*2*) of this section the Governor General in Council, shall publish in such manner as may in its or his opinion be sufficient for giving information to persons interested a draft of the proposed rules, with a notice specifying a date (not less remote than two months from the publication of the notice) at or after which the draft will be taken into consideration, and shall consider any objection or suggestion which may be received from any person with respect to the draft before the date so specified."

Amendment of section 19, Act XV, 1881.

17. In section 19 of the said Act, the word "such", where it occurs before the word "factory", is hereby repealed.

Addition of a section to Act XV, 1881.

18. To the said Act the following shall be added, namely:—

Power to Local Government to extend definition of "factory."

"20. (*1*) Notwithstanding anything in clause (*b*) of the definition of the word "factory" in section 2, the Local Government may from time to time, by notification in the official Gazette, declare any premises, or premises of any class, which fulfil the other conditions of the said definition, to be a factory for all the purposes of this Act, or for such of those purposes as may be specified in the notification, if the number of persons simultaneously employed in the premises on any day in any manual labour in, or incidental to, any such process as is referred to in the said clause (*b*) is less than fifty and not less than twenty.

(*2*) The Local Government may, by such notification, fix any number below fifty and not below twenty as the number of persons whose simultaneous employment as aforesaid is to be held to subject premises, as a factory, to all or any of the provisions of this Act and of the orders and rules made thereunder."

References to Act XV of 1881 to be read as references to that Act as amended by this Act.

19. A reference in any enactment or document to the Indian Factories Act, 1881, shall be read as a reference to that Act as amended by this Act. XV

APPENDIX.

ACT No. XV OF 1881.

(As amended by Act XI of 1891.

An Act to regulate labour in Factories.

Preamble.

WHEREAS it is expedient to regulate labour in factories; It is hereby enacted as follows:—

Preliminary.

Short title and local extent.

1. This Act may be called the Indian Factories Act, 1881.

It applies to the whole of British India.

Interpretation-clause.

2. In this Act, unless there is something repugnant in the subject or context,—

"factory:"

"factory" means any premises (other than indigo-factories or premises situated on, and used solely for the purposes of, a tea or coffee plantation) wherein is carried on, for not less than four months in the whole in any one year, any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, transport or sale, any article or part of an article; and

(*a*) wherein steam, water or other mechanical power is used in aid of any such process; and

(*b*) wherein, *subject to the provisions of section 20,* not less than *fifty* persons are on any day simultaneously employed in any manual labour in, or incidental to, any such process; and

every part of a factory shall be deemed to be a factory, except any part used exclusively as a dwelling:

"child:"

"child" means a person under the age of *fourteen* years:

"mill-gearing:"

"mill-gearing" includes every shaft, whether upright, oblique or horizontal, and every wheel, drum, pulley, rope, driving strap or band, by which the motion of the first moving power is communicated to any machine:

"employed."

a *person* who works in a factory, whether for wages or not, in a manufacturing process or handicraft, or in cleaning any part of the factory used for any manufacturing process or handicraft, or in cleaning or oiling any part of the machinery, or in any other kind of work whatsoever incidental to, or connected with, the manufacturing process or handicraft, or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein, shall be deemed to be employed therein within the meaning of this Act.

Inspectors and certifying surgeons.

Inspectors.

3. The Local Government may in its discretion, by notification in the official Gazette, appoint, *by name or by office,* such persons as it thinks fit to be Inspectors of factories within such local limits as it may assign to such Inspectors, and may suspend or dismiss any person so appointed.

The District Magistrate shall, in virtue of his office, be *an* Inspector of all factories, if any, in *his* district.

Such Inspectors shall be deemed public servants within the meaning of the Indian Penal Code, and shall be officially subordinate to such authority as the Local Government may from time to time indicate in this behalf.

Powers of Inspector.

4. An Inspector of factories may, within the local limits for which he is appointed,—

(*a*) enter, with such assistants (if any) as he thinks fit, any factory whenever he has reason to believe that any person is employed therein;

(*b*) make such examination of the premises and machinery, and of the registers hereinafter prescribed, and take on the spot or otherwise such evidence of any person as such Inspector may deem necessary for carrying out the *purposes* of this Act;

(*c*) order that any person shall not be employed in a factory when he has reason to believe that such employment would be in contravention of this Act,—

until the age of such person has been certified, in the manner hereinafter provided, to be above *nine* years or

for more than the time allowed by this Act for the employment of children, until his age has been so certified to be above *fourteen* years.

Certifying surgeons.

5. The civil surgeon or such other person practising medicine or surgery as the Local Government may from time to time appoint in this behalf for any local area (hereinafter called the certifying surgeon) shall, at the request of any person employed or desirous of being employed in a factory situate in such local area, or of the parent or guardian of such person, *and on payment by such person of such fee, if any, as may from time to time be prescribed by the Governor General in Council by notification in the Gazette of India*, examine such person and grant him a certificate, stating whether his age, as nearly as it can be ascertained from such examination, is above or below *nine* years, or *fourteen* years, as the case may be.

All Operatives.

Limited stoppage of work daily in certain circumstances.

5A. (1) In every factory, except a factory in which a system of employment in shifts or sets approved by the local Inspector is in force, there shall between noon and two o'clock in the afternoon be a stoppage of work for a full half-hour:

(2) Provided that nothing in this section shall apply to any factory of a class to which the Governor General in Council has, by notification in the Gazette of India, declared this section not to apply.

Holidays.

5B. (1) No person shall be employed in any factory on a Sunday:

(2) Provided as follows:—

(a) any manager, foreman, mechanic, artisan or labourer may be employed in a factory on a Sunday in examining or repairing, or in supervising or aiding in the examination or repair of, any machinery or other thing whatsoever necessary for the carrying on of the work performed in the factory;

(b) any person may be employed in a factory on a Sunday if he has had or will have a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday;

(c) the Local Government may from time to time, by notification in the official Gazette, declare sub-section (1) of this section not to apply to any factory or class of factories (the factory or class being described in the notification) in which the work performed—

(i) necessitates continuous production for technical reasons, or

(ii) supplies the public with articles of prime necessity which must be made every day, or

(iii) by its nature cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces; and

(d) the Governor General in Council may from time to time, by notification in the Gazette of India, declare sub-section (1) of this section not to apply to factories of any class described in the notification.

Women.

Employment of women.

6. (1) No woman shall be employed before five o'clock in the morning or after eight o'clock in the evening in any factory in which a system of employment in shifts or sets approved by the local Inspector is not in force.

(2) No woman shall be actually employed in any factory in any one day for more than eleven hours.

(3) Every woman shall be allowed an interval or intervals of rest amounting in the aggregate to at least an hour-and-a-half in the day when she is actually employed for eleven hours and to a proportionately less time when she is actually employed for less than eleven hours.

(4) The Governor General in Council may from time to time, by notification in the Gazette of India, declare all or any of the foregoing sub-sections of this section not to apply to factories of any class described in the notification or to women employed in any process so described.

Children.

Employment of children.

7. (1) No child shall be employed in any factory if he is under the age of *nine* years.

(2) No child shall be employed in any factory before five o'clock in the morning or after eight o'clock in the evening.

(3) No child shall be actually employed in any factory for more than seven hours in any one day.

(4) Every child who is actually employed in any factory for six hours in any one day shall be allowed an interval or intervals of rest amounting in the aggregate to at least half-an-hour.

Prohibition of employment of child in certain dangerous work.

8. No occupier of a factory shall allow any child to clean any part of the mill-gearing or machinery of such factory while the same is in motion, or to work between the fixed and traversing parts of any self-acting machine while such machine is in motion by the action of the steam-engine, water-wheel or other mechanical power, as the case may be.

Register of children in a factory.

9. The Local Government may direct any occupier of a factory to keep, in such form and with such particulars as such Government may from time to time prescribe, registers of the children (if any) employed in such factory, and of their respective employments.

Women and Children.

Provisions supplementary to sections 6 and 7.

10. (*1*) The occupier shall set up and maintain, in some conspicuous place in the factory, a printed or written notice, in English and the language of the district in which the factory is situated, showing the times at which such intervals *as are required by section 6, sub-section (3), and section 7, sub-section (4), to be allowed to women and children respectively*, shall be allowed and the length of each interval.

(2) A *woman or* child shall not be deemed to be *actually* employed within the meaning of *section 6 or section 7* during any *such* interval *as aforesaid.*

Prohibition of employment of *woman or* child in two factories on same day.

11. No occupier of a factory shall employ therein on any day any *woman or* child who has to his knowledge already been employed on the same day in any other factory.

Fencing.

Fencing.

12. (*a*) Every fly-wheel directly connected with a steam-engine, water-wheel or other mechanical power in any part of a factory, and every part of a steam-engine or water-wheel,

(*b*) every hoist or teagle near which any person is liable to pass or be employed, and

(*c*) every other part of the machinery or mill-gearing of a factory which may, in the opinion of the local Inspector, be dangerous if left unfenced, and which he may have ordered to be fenced,

shall, while the same is in motion, be kept by the occupier of such factory securely fenced.

Any order under clause (*c*) may be set aside, on appeal or otherwise, by the Local Government or such authority as it may appoint in this behalf.

Notices.

Notice to be given of accidents.

13. When any accident occurs in a factory causing death or bodily injury whereby the person injured is prevented from returning to his work in the factory during forty-eight hours *next* after the occurrence of the accident, the occupier of such factory, or, in his absence, his principal agent in the management of such factory, shall send such notice of *the* accident to such authorities in such form and within such time as the Local Government may from time to time by rule direct.

Person beginning to occupy factory to give notice.

14. Every person shall, within one month after he begins to occupy a factory, send to the local Inspector a written notice containing the name of the factory *and of* the place where it is situate, the address to which he desires his letters to be addressed, the nature of the work performed in such factory, the nature and amount of the moving power therein and the name of the person under whom the business of the factory is to be carried on.

Penalties.

Penalties.

15. (*1*) Any person who, in breach of this Act or of any order or rule made thereunder,—

(*a*) employs any *person* in any factory;

(*b*) allows any child to perform the work forbidden by, or to work in contravention of, *section 8;*

(*c*) neglects to keep a register in manner prescribed under *section 9;*

(*d*) neglects to set up or maintain the notice required by *section 10, sub-section (1);*

(*e*) neglects to fence any machinery or mill-gearing in any factory;

(*f*) *neglects to maintain a supply of water for the use of persons employed in any factory;*

(*g*) *neglects to ventilate any factory or to keep any factory in a cleanly state and free from effluvia arising from any drain, privy or other nuisance;*

(*h*) *suffers any factory to be so overcrowded, while work is carried on therein, as to be injurious to the health of the persons employed therein;* or

(*i*) neglects to *send* any notice *or furnish any return*,

shall be punished with fine which may extend to two hundred rupees:

Provided that—

(*i*) no prosecution under this sub-section shall be instituted except by, or with the previous sanction of, the local Inspector; and

(*ii*) no person shall be liable under this sub-section to more than one penalty for any one description of offence committed on the same day, except where two or more *persons* are employed contrary to the provisions of this Act, in which case one penalty may be imposed in respect of each *person* so employed.

(*2*) *Any person who corruptly uses or attempts to use, as a certificate granted to himself under section 5, a certificate granted to another person under that section, or who, having procured a certificate under the said section, corruptly allows it to be used, or an attempt to use it to be made, by another person, shall be punished with fine which may extend to twenty rupees.*

Burden of proof as to age.

16. Where an act or omission would, if a person were under *nine* or *fourteen* years of age, be an offence punishable under this Act, and such person is, in the opinion of the Court, apparently under such age, it shall lie on the accused to prove that such person is not under such age.

A declaration in writing by a certifying surgeon that he has personally examined a person employed in a factory and believes him to be under or over the age set forth in such declaration shall, for the purposes of this Act, be admissible as evidence of the age of that person.

Occupier primarily liable for breaches of Act *or orders or rules thereunder*.

17. Every occupier of a factory shall be deemed primarily liable for any breach therein of this Act *or of any order or rule made thereunder;* but he may discharge himself from such liability by proof that such breach was committed by some other person without his knowledge or consent, and *in that case* the person committing such breach shall be liable therefor.

Miscellaneous.

Power to make rules.

18. (*1*) *Subject to the control of the Governor General in Council, the* Local Government may from time to time make rules consistent with this Act to provide for—

(*a*) the fencing of machinery and mill-gearing in factories;

(*b*) *the water-supply to be maintained for the use of persons employed in factories;*

(*c*) *the ventilation of factories and their cleanliness (including lime-washing, painting, varnishing and washing) and freedom from effluvia arising from any drain, privy or other nuisance;*

(*d*) *the prevention of such overcrowding of factories, while work is carried on therein, as is likely to be injurious to the health of the persons employed therein:*

(*e*) the inspection of factories;

(*f*) the manner in which appeals under this Act *are to* be presented and heard; and

(*g*) otherwise carrying out the *purposes* of this Act.

(*2*) *The Governor General in Council may from time to time make rules requiring occupiers of factories to furnish such returns, occasional or periodical, as may be necessary for the effectual carrying out of this Act.*

(*3*) Such rules shall be published in the *local* official Gazette *or the Gazette of India, as the case may be*, and shall thereupon have the force of law.

(*4*) *Before making rules under clause (b), clause (c) or clause (d) of sub-section (1) of this section the Local Government, and before making rules under sub-section (2) of this section the Governor General in Council, shall publish in such manner as may in its or his opinion be sufficient for giving information to persons interested a draft of the proposed rules, with a notice specifying a date (not less remote than two months from the publication of the notice) at or after which the draft will be taken into consideration, and shall consider any objection or suggestion which may be received from any person with respect to the draft before the date so specified.*

Crown factories.

19. This Act shall apply to factories belonging to the Crown: provided that, in case of any public emergency, the Governor General in Council or the Local Government may, by an order in writing, exempt any factory from this Act to such extent and during such period as the Governor General in Council or the Local Government, as the case may be, thinks fit.

Power to Local Government to extend definition of "factory."

20. *Notwithstanding anything in clause (b) of the definition of the word "factory" in section 2, the Local Government may from time to time, by notification in the official Gazette, declare any premises, or premises of any class, which fulfil the other conditions of the said definition to be a factory for all the purposes of this Act, or for such of those purposes as may be specified in the notification, if the number of persons simultaneously employed on the premises on any day in any manual labour in, or incidental to, any such process as is referred to in the said clause (b) is less than fifty and not less than twenty.*

(2) The Local Government may, by such notification, fix any number below fifty and not below twenty as the number of persons whose simultaneous employment as aforesaid is to be held to subject premises, as a factory, to all or any of the provisions of this Act and of the orders and rules made thereunder.

S. HARVEY JAMES,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, APRIL 9. 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 21st March, 1891, and is hereby promulgated for general information :—

ACT NO. XII OF 1891.

An Act to repeal certain Obsolete Enactments and to amend certain other Enactments.

WHEREAS it is expedient that certain enactments specified in the first schedule to this Act which are spent, or have ceased to be in force otherwise than by express specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed;

And whereas it is also expedient that certain formal amendments should be made in the enactments specified in the second schedule to this Act;

It is hereby enacted as follows :—

Title, extent and commencement.

1. (*1*) This Act may be called the Repealing and Amending Act, 1891.

(*2*) Save in so far as it applies expressly or by necessary implication to particular territory only, it extends to the whole of British India, inclusive of Upper Burma and British Baluchistan; and

(*3*) It shall come into force at once.

Enactments in schedules repealed and amended respectively.

2. (*1*) The enactments specified in the first schedule are hereby repealed to the extent mentioned in the fourth column thereof.

(*2*) The enactments specified in the second schedule shall be modified to the extent and in the manner mentioned in the fourth column thereof; but nothing in this sub-section shall affect any Act passed after this Act comes into force by the Governor of Madras in Council, the Governor of Bombay in Council, the Lieutenant-Governor of Bengal in Council or the Lieutenant-Governor of the North-Western Provinces and Oudh in Council.

(*3*) The modifications hereby made in the Foreign Jurisdiction and Extradition Act, 1879, section 6, and the Cantonments Act, 1889, section 19, shall have effect as from the commencement of those Acts respectively. XXI of 1879. XIII of 1889.

Savings.

3. The repeal by this Act of any enactment shall not affect any Statute, Act or Regulation in which such enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, ob-

ligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

A description or citation of a portion of an Act or Regulation includes the words, section or other part mentioned or referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Part I.—Acts of the Governor General in Council.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1835	II	Control of Officers in Assam, Arakan and Tenasserim.	So much as has not been repealed.
"	VI	Control of Officers in Khasi Hills and Cachar.	So much as has not been repealed.
"	XIX	Assistant to Agent for Sardárs, Dekkhan.	In section 1, *the words* and in the trial of such suits the Assistant shall follow the same rules which are now applicable to the Agent *and the words and figures* under the provisions of Chapter XXII, Regulation IV of 1827 of the Bombay Code.
1836	X	Indigo-contracts	The whole Act, so far as it applies to Assam.
"	XXVI	Camp Police .	So much as has not been repealed.
1838	V	Bengal Bonded Warehouse.	*The words* And it is hereby enacted that, *wherever they occur.* In sections 3, 5, 7, 8, 9, 10, 17, 18, 20, 22, 23, 24 and 27, *the word* that *wherever it occurs after the word* and. In section 31, *the word* that *where it occurs after the word* but.
"	XXV	Wills . .	In sections 2 to 5, 7 to 29, and 31, *the words* And it is hereby enacted that. In section 2, *the words* except so far as relates to His Majesty's colonies and plantations in America. In sections 3 and 31, *the word* that, *wherever it occurs.* In section 4, *the word* that *where it occurs before the words* the power. In section 6, *the words* Provided also and it is hereby enacted that. Section 30.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1 Year.	2 No.	3 Subject or title.	4 Extent of repeal.
1839	VII	Tahsíldárs, Madras.	Section 4.
"	XXIV	Ganjam and Vizagapatam.	In section 7, *the word* fourth.
"	XXVII	Execution by the Court of Requests, Calcutta, of decrees of Courts of 24-Pergunnahs.	The whole.
"	XXIX	Dower . .	In sections 2 to 10, 12 and 14, *the words* And it is hereby further enacted that. In section 11, *the words* and it is hereby further enacted. In section 15, *the words* And it is hereby provided that. Section 13.
"	XXX	Inheritance .	*The words* And it is hereby further enacted that *and* And it is hereby further enacted and declared that, *wherever they occur.* In section 7, *the words* also, that *and the word* that. In section 13, *the words* And it is hereby provided that.
1840	X	Temple of Jagannath.	So much as has not been repealed.
1841	XXIV	Illusory appointments, &c.	Section 4, so far as it relates to section 10 of the Statute 11 George IV & 1 William IV, chapter 47. Section 5, *from* or any proceedings *to the end.*
1842	IX	Lease and Release.	So far as it has not been repealed.
1844	VI	Land-customs, Madras.	In the title, *the word* abolishing, *the words* transit or *and the words* for revising the duties on imports and exports by sea, and for determining the price at which salt shall be sold for home consumption.

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1846	I	Pleaders . .	In section 6, *the words and figures* Section 25, Regulation XXVII, 1814, of the Bengal Code; Section 25, Regulation XIV, 1816, of the Madras Code; and. In section 13, *the numerals* VII.
1847	IX	Assessment of new lands.	In section 1, *the words* and that all such investigations pending before the Collectors and Deputy Collectors in the said Provinces at the said date shall forthwith be discontinued.
1848	X	Mandvee . .	So much as has not been repealed.
"	XVIII	Nawáb of Surat.	Section 2. In the schedule, the names and descriptions numbered 1, 2, 3, 5, 6 and 7.
1850	XXV	Forfeited deposits	In the title, *the words and figures* and Act IV, 1846. In the preamble, *the words* and judgment-debtors, *the words and figures* and in Section V, Act IV, 1846, *and the words* in execution of decrees or.
"	XXXIV	State Prisoners .	Section 3.
1853	VI	Summary suits for arrears of rent, &c.	In the preamble, *the words and figures from* and whereas it is expedient *to* Act VIII, 1835, *and the words from* and to prevent *to* wrong district.
"	VIII	Colaba . .	So much as has not been repealed.
"	XIX	Evidence . .	In section 26, *the words* in addition to any proceedings under this Act.
1855	X	Witnesses . .	In the title, *the words and figures* and to amend the provisions of Section XL, Act XIX of 1853.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1855	XXIV	Penal Servitude.	In the title, *the words* and to amend the law relating to the removal of such convicts.
			In the preamble, *the words* and to amend the law relating to the removal of European and American convicts for the purpose of imprisonment.
„	XXXVII	Sonthal Districts.	In section 1, *clause* 1, *the words* extend to or affect any case now pending in any Court, nor.
1856	XII	Civil Court Amíns.	In the preamble, *the words and figures from* and whereas *to* other agency.
			Section 10, *from* Whenever *to the end.*
„	XIII	Police ...	In section 1, *the words and figures from* Sections XXII *to the end.*
			In section 2, definition of "Local Government," *the words* in the possession and, *the words* the East, *and the word* Company.
			In section 3, the *words and figure* except as is otherwise provided by Section I of this Act.
			Form B in the schedule of Forms.
„	XVIII	Collector of Calcutta.	In the preamble, *the words* should have charge of the collection of the stamp-duty within the town of Calcutta, and that he.
			Section 1.
			In section 3, *the words and figures* the said Regulation, or under Act XI of 1849, or.
„	XX	Chaukidárs .	In sections 10, 21, 33, 34, 36 and 59, *the words* of Circuit.
			Section 60.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1856	XXII	Tolls, Karatoyá River.	In section 5, *the words and figures* Regulation I of 1824, or of.
1857	II	Calcutta University.	In section 1, *the words* in the possession and, *the words* the East, *and the word* Company.
"	IV	Tobacco, Bombay Town.	Section 2, *from* and such duty *to the end.* Section 5, *from* The import-duty *to the end.*
"	XIII	Opium . .	In the preamble, *the words* that certain obsolete Regulations relating to the provision of opium should be formally repealed, and.
"	XXI	Howrah .	Section 54, the second proviso. Section 58.
"	XXII	Bombay University.	In section 1, *the words* in the possession and, *the words* the East, *and the word* Company.
"	XXV	Forfeiture of property.	In the title, *the words* to render officers and soldiers in the Native Army liable to forfeiture of property for mutiny, and. In the preamble, *the words* to render officers and soldiers in the Native Army, who shall be convicted of mutiny, subject to the forfeiture of all their property, and.
"	XXVII	Madras University.	In section 1, *the words* in the possession and, *the words* the East, *and the word* Company.
1858	III	State Prisoners .	Section 4. In section 5, *the words* in the possession and, *the words* the East *and the word* Company.
"	XXXVII	Nawáb of the Carnatic.	The preamble, *from* and that *to* commencement of this Act. Section 2. Schedules B and C.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1859	IX	Claims to property seized as forfeited.	In the preamble, *the words from* to make provision *to* also expedient.
"	X	Rent . .	The schedule, Forms E and F.
"	XI	Sales of land for arrears of revenue.	Section 4.
			In section 53, *the words and figures* sharers in estates under butwarah who may have saved their shares from sale under Sections XXXIII and XXXIV, Regulation XIX, 1814, and.
1860	XIV	King of Oudh .	The whole.
"	XXII	Hill Tracts of Chittagong.	Section 1, proviso.
"	XXIII	Amending Act XXI of 1856 (Abkari).	The whole Act, so far as it applies to Assam.
"	XLV	Indian Penal Code.	In section 1, *the words and figures* on and from the first day of May, 1861.
			In sections 1 and 15, *the words* except the Settlement of Prince of Wales' Island, Singapore and Malacca.
			In sections 2 and 4, *the words and figures* on or after the said first day of May, 1861.
			In section 410, *the word* the, *where it occurs after the word* which.
1862	VIII	King of Oudh .	So much as has not been repealed.
1863	XVI	Spirits used in Manufactures, &c.	Section 8.
1864	XVII	Official Trustees	Section 3.
1865	VII	Government Forests Act, 1865.	The whole Act, so far as it has not been repealed by the Indian Forest Act, 1878, and the Lower Burma Forest Act, 1881.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1865	X	Indian Succession Act, 1865.	In section 3, *the words* other than the Settlement of Prince of Wales' Island, Singapore and Malacca.
1866	XXI	Native Converts' Marriage Dissolution Act, 1866.	In section 35, *the words* except the Settlement of Prince of Wales' Island, Singapore and Malacca.
			In the first schedule, *the words* Rs. two.
"	XXV	Transfer to Government of deposits in High Courts.	In the preamble, *the words* or in the late Supreme Courts at Calcutta, Madras and Bombay, respectively, *and the words* now or hereafter. In section 1, *the words* or of the late Supreme Courts of Calcutta, Madras and Bombay, *and the words* now or hereafter.
1867	XXII	Saráis Act, 1867	Section 1.
			In section 17, *the words* and the Settlement of Prince of Wales' Island, Singapore and Malacca.
"	XXIII	Murderous Outrages, Punjab.	Section 17.
"	XXV	Printing Presses and Books.	In section 1, *the words* other than the Settlement of Prince of Wales' Island, Singapore and Malacca.
1868	I	General Clauses Act, 1868.	In section 2, clause (8), *the words* other than the Settlement of Prince of Wales' Island, Singapore and Malacca.
"	V	Commissioner in Sindh.	The schedule, so far as it relates to Act XXVI of 1850.
"	XVIII	Small Cause Jurisdiction, Nílgiris.	So much as has not been repealed.
"	XXI	Nawáb of the Carnatic.	The whole.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1869	XIV	Bombay Civil Courts Act, 1869.	In section 32, proviso, clause (*b*) [added by Act XV of 1880, section 3], *the words and figures* or selected under Act No. XX of 1864 (*for making better provision for the care of the persons and property of minors in the Presidency of Bombay*), section 9, *and the words* or selection.
1870	VII	Court-fees Act, 1870.	In section 3, *the word* sixteen.
			In section 7, paragraph iv, last clause, *the words* and the provisions of the Code of Civil Procedure, section thirty-one, shall apply as if for the word 'claim' the words 'relief sought' were substituted.
			Section 10, clause iii.
			Section 19, clause ii.
			In section 19C (inserted by Act XIII of 1875, section 6), first line, *the word* such.
			In section 19G (inserted by Act XIII of 1875, section 6), *the words and figures* after the first day of April, 1875, or.
			Sections 24 and 32.
			Schedule II, Articles 8 and 9.
"	XXI	Hindu Wills Act, 1870.	In section 6, *the words* and Parts.
"	XXVI	Prisons Act, 1870.	In section 9, *the words* (subject to the approval of the Governor General of India in Council).
"	XXVII	Amending the Indian Penal Code.	Sections 7, 9 and 14.
1871	II	Extending the Prisons Act, 1870, to Coorg.	So much as has not been repealed.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1 Year.	2 No.	3 Subject or title.	4 Extent of repeal.
1871	IV	Coroners' Act, 1871.	Section 4, the second paragraph.
"	XXI	Dehrá Dun .	Section 1, *from* and no judgment *to the end.* In section 2, *the words* and shall be deemed to have been heretofore authorized to exercise. In section 3, *the words* shall be deemed to have been heretofore the District Court of the said district of Dehrá Dun, and, *and the words and figures* and may, subject to the provisions of Act VI of 1871, hear appeals from decisions given in the said district before the passing of this Act. In section 4, *the words and figures* and referred to in section eleven of Act XXIV of 1864.
"	XXII	Amending Act XX of 1856 (Chaukidárs).	Section 5. In section 6, *the words* but shall not take effect within the territories subject to the Lieutenant-Governor of Bengal.
"	XXIII	Pensions Act, 1871.	Section 1, *from* but not so as to affect *to the end.*
"	XXVI	Land Improvement Act, 1871.	The whole Act, so far as it applies to the Andaman and Nicobar Islands and the Pargana of Manpur.
1872	IV	Punjab Laws Act, 1872.	Section 33. Section 39G (inserted by Act XV of 1875, section 2). The first schedule, so far as it relates to Act XVII of 1861.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1872	XV	Indian Christian Marriage Act, 1872.	In section 68 (as amended by Act II of 1891, section 6), *the words* "*and to amend the law relating to the removal of such convicts.*"
1873	III	Madras Civil Courts Act, 1873.	In section 13, *the words and figures* or appeals under Madras Regulation XI of 1832, section nine.
			Section 29, the second and third paragraphs.
"	IV	Punjab Municipal Act, 1873.	So far as it has not been repealed.
"	V	Government Savings Banks Act, 1873.	In section 5, *the words* the said.
"	XVI	North-Western Provinces Village and Road Police Act, 1873.	In section 1, *the words and figures* So far as regards the repeal of Act No. III of 1869, this Act extends to the whole of British India: the rest of.
"	XIX	North-Western Provinces Land-revenue Act, 1873.	Section 2, the third paragraph.
"	XX	Prince of Arcot's Privilege Act, 1873.	The whole.
1874	I	Quieting of titles, North-Western Provinces.	The whole.
"	III	Married Women's Property Act, 1874.	In section 9, *the words* affect any suit instituted before the passing of this Act, nor.
"	VIII	Exercise of Powers in Assam.	Section 3.
"	XIV	Scheduled Districts Act, 1874.	In section 10, *the words and figures* and No. XXV of 1869.
			In the first schedule, Part I, No. I, *the figure and words* (9) the Chighatti Maliah.
			The first schedule, Part XIII.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1874	XV	Laws Local Extent Act, 1874.	Section 8, clause (*f*).
			The first schedule, so far as it relates to Acts IX of 1842, XVIII of 1854, VIII of 1859. XIV of 1859, XV of 1859. XXIII of 1861, VI of 1863, X of 1866 and X of 1868.
			The second schedule, so far as it relates to Madras Regulations III of 1802, section 11, I of 1805, II of 1807, IV of 1816, IX of 1816 and XIV of 1816 and Acts XVII of 1840, VII of 1852 and XI of 1869.
			The third schedule, so far as it relates to Bombay Regulations XII of 1827, preamble, XVI of 1827 and XXI of 1827 and Acts XI of 1843, III of 1852 and XXI of 1852.
			The fourth schedule, so far as it relates to Bengal Regulations XLVIII of 1793, III of 1794, section 12, XV of 1797, I of 1798, XVII of 1806, XI of 1811, XIX of 1814, XX of 1817, sections 28 and 32, and VI of 1819 and Acts XX of 1836, XI of 1838, XX of 1856, XXI of 1856 and XXIII of 1860.
			The fifth schedule, so far as it relates to Bengal Regulations I of 1798, XVII of 1806, XIX of 1810, V of 1817, VI of 1819, VI of 1831 and XI of 1831, sections 4 and 8.
			In the sixth schedule, Part I, No. I, the *figure and words* (9) the Chighatti Maliah.
			The sixth schedule, Part XIII.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1875	XIII	Probates and Letters of Administration.	Section 1.
			So much of section 6 as directs the insertion of section 19H in the Court-fees Act, 1870.
"	XV	Punjab Laws Amendment Act, 1875.	Section 2, so far as it applies to the Punjab and relates to sections 39A and 39B.
			Section 2, so far as it relates to section 39G.
"	XX	Central Provinces Laws Act, 1875.	Section 2, proviso.
			In the third column of Part A of the schedule, in the entry opposite Regulation XI of 1806, *the words and figures* and with the exception, in section VIII, of the words and figures "under the rules prescribed by Regulation V, 1804."
			The schedule, so far as it relates to Bengal Regulation VI of 1819 and Act XVIII of 1853.
1876	X	Bombay Revenue Jurisdiction Act, 1876.	Section 2, and the schedule referred to therein.
"	XII	Repealing Act, 1876.	The whole.
"	XVII	Oudh Land-revenue Act, 1876.	In section 150, *the words* stamped or.
			Section 178, clause (*p*).
"	XVIII	Oudh Laws Act, 1876.	Sections 17, 18 and 41.
			In the third column of Part I of the second schedule, in the modifications of Regulation XXXIII of 1803, *the words* for "city" read "jurisdiction," *and the words and figures* In section IV, omit the words "or in either of the cities of Patna, Dacca or Moorshedabad."

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1876	XVIII —*contd.*	Oudh Laws Act, 1876.	In the third column of Part I of the second schedule, in the modifications of section 8 of Regulation XI of 1806, *the words and figures* and omit the words and figures "(under the rules prescribed by Regulation V, 1804)" and "in Regulation XXVII, 1803."
			The second schedule, so far as it relates to Bengal Regulation VI of 1819 and Act XIII of 1857, section 2.
"	XXI	Amending the Land Improvement Act, 1871.	The whole Act, so far as it applies to the Andaman and Nicobar Islands and the Pargana of Manpur.
"	XXIII	Opium Act, 1876.	The whole Act, so far as it applies to the Andaman and Nicobar Islands and the Pargana of Manpur.
1877	I	Specific Relief Act, 1877.	Section 2.
			In section 9, *the words* instituted within six months from the date of the dispossession.
			The schedule.
"	II	Amending Act XIII of 1875 (Probates and Letters of Administration).	Section 2.
"	III	Indian Registration Act, 1877.	Section 84, the last paragraph.
"	VI	Postponing operation of the Opium Act, 1876.	The whole Act, so far as it applies to the Andaman and Nicobar Islands and the Pargana of Manpur.
"	XI	Military Lunatics Act, 1877.	Sections 2 and 9.
"	XV	Indian Limitation Act, 1877.	Section 2, *down to the word* But.
			Section 2, the third paragraph.
			The first schedule.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1877	XIX	District Judges .	In the preamble, *the words* the District Judges of the Lower and the North-Western Provinces of the Presidency of Fort William, and.
1878	I	Opium Act, 1878.	Section 2, the first and second paragraphs.
			The schedule.
„	VI	Indian Treasure-trove Act, 1878.	Section 2.
			The schedule.
„	XI	Indian Arms Act, 1878.	Sections 8 and 9.
			Section 14, the last three paragraphs.
			The second schedule.
„	XII	Amending the Punjab Laws Act, 1872.	Section 6.
			Section 7, *from* All penalties *to the end*.
„	XIV	Assimilation of Powers, North-Western Provinces and Oudh.	In the preamble, *the words* and whereas doubts have arisen as to the validity of certain acts done since the said union, and it is expedient to remove such doubts.
			Section 4, the first paragraph.
			Section 5, the first paragraph.
			Sections 7 and 8.
„	XVII	Northern India Ferries Act, 1878.	Section 36.
1879	I	Indian Stamp Act, 1879.	Section 2, *down to the word* But.
			Schedule II, Article 2, clauses (*b*) and (*e*).
			Schedule II, Article 10.
			Schedule II, Article 11, clause (*b*).
			Schedule III.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1 Year.	2 No.	3 Subject or title.	4 Extent of repeal.
1879	III	Destruction of Records Act, 1879.	Section 9. The schedule.
"	VII	Punjab Additional Financial Commissioner's Act, 1879.	The whole.
"	XII	Amending the Code of Civil Procedure, the Registration Act, 1877, and the Limitation Act, 1877.	In the title, *the words* the Code of Civil Procedure. The first preamble. Section 108, so far as it refers to Nos. 171, 171A, 171B and 171C of the second schedule to the Indian Limitation Act, 1877.
"	XVII	Dekkhan Agriculturists' Relief Act, 1879.	Section 48, the second paragraph (inserted by Act XXIII of 1881, section 10).
"	XIX	Raipur and Khattra Laws Act, 1879.	Section 3.
"	XX	Glanders and Farcy Act, 1879.	Section 15.
1880	VII	Indian Merchant Shipping Act, 1880.	In section 72 (as amended by Act VI of 1891, section 6), *the word* But.
"	IX	Bombay Civil Courts Act, 1880.	Section 3.
"	XIV	Indian Census Act, 1880.	The whole.
"	XV	Bombay Revenue Jurisdiction Act, 1880.	The preamble *from* and to make *to* 1871.
1881	II	Pegu and Sittang Canal Act, 1881.	Section 22.
"	V	Probate and Administration Act, 1881.	In section 152, *the words* the said.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1881	IX	Administrator General's Act, 1881.	So much of section 5 as has not been repealed.
			Section 6, *from* and the words *to the end.*
"	XIII	Fort William Act, 1881.	Section 9.
"	XIV	Benares Family Domains Act, 1881.	Sections 2 and 14.
"	XVIII	Central Provinces Land-revenue Act, 1881.	Sections 2 and 3.
			Section 136W (inserted by Act XVI of 1889, section 26).
			The schedule.
"	XIX	Lower Burma Forest Act, 1881.	Section 2.
			The schedule.
"	XXIII	Dekkhan Agriculturists' Relief Act, 1881.	Sections 4, 5 and 16.
"	XXV	Bánki Laws Act, 1881.	Section 3.
			In section 4, *the words and figures from* And in the following Bengal Regulations *to the end.*
"	XXVI	Negotiable Instruments Act, 1881.	Section 2.
			The schedule.
1882	I	Inland Emigration Act, 1882.	Section 2, the first paragraph.
			In section 2, second paragraph, *the words* the said.
			Section 193.
"	II	Indian Trusts Act, 1882.	Section 36, the second paragraph.
			In the schedule, *the figures* 39.
"	III	Seditious Publications Act, 1882.	Section 2.

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1882	VII	Powers-of-Attorney Act, 1882.	Section 6.
"	X	Code of Criminal Procedure, 1882.	Section 311.
			In section 549, *the figures* 1881, *in both places in which they occur.*
			Section 558.
"	XII	Indian Salt Act, 1882.	In section 11, *the words and figures* or under section 11 of the Inland Customs Act, 1875.
"	XIV	Code of Civil Procedure.	Section 539, the last paragraph.
"	XV	Presidency Small Cause Courts Act, 1882.	In section 1, *the figures* 1881.
"	XIX	Punjab University Act, 1882.	Section 22.
"	XXII	Dekkhan Agriculturists' Relief Act, 1882.	Sections 17 and 19.
1883	III	Repealing Act XXVII of 1854 (Názim of Bengal).	The whole.
"	V	Indian Merchant Shipping Act, 1883.	In section 2, sub-section (2), *the words* proceedings commenced *and the word* commenced.
"	VII	Repealing the Lower Burma Labour Law, 1876.	The whole.
"	VIII	Little Cocos and Preparis Islands Laws Act, 1883.	Section 3.
"	IX	Central Provinces Tenancy Act, 1883.	Section 1, the last paragraph, *beginning with* Nevertheless.
			Section 2.
			The schedule.
"	XIII	Indus Valley State Railway Lands.	Section 1.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1883	XIV	North-Western Provinces and Oudh Local Boards Act, 1883.	Sections 57 and 60.
"	XV	North-Western Provinces and Oudh Municipalities Act, 1883.	Section 5, *from* and shall *to the end.*
"	XIX	Land Improvement Loans Act, 1883.	Section 12, sub-section (2).
1884	I	Honorary Degrees	Section 1.
"	II	Unregistered instruments of partition, Madras.	In section 2, proviso, *the words* within three years after the date on which this Act comes into force, or *and the words* if the transfer is made after this Act comes into force.
"	III	Criminal Procedure Code Amendment Act, 1884.	Section 6.
"	IV	Indian Explosives Act, 1884.	Section 2, sub-section (2).
"	V	Amending the Chutiá Nágpur Encumbered Estates Act, 1876.	Section 8, clause (*a*) Section 10.
"	VI	Inland Steam-vessels Act, 1884.	In section 3, sub-section (2), *the words* proceedings commenced *and the word* commenced.
"	VII	Indian Steamships Act, 1884.	Section 2, sub-section (2).
"	VIII	Repealing Bengal Regulation XIX of 1810 in the North-Western Provinces.	The whole.
"	IX	Legal Practitioners' Act, 1884.	Section 10, sub-section (2).

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1884	XIV	Validation of Settlement-officers' Decisions, Punjab.	The whole.
"	XX	Amending the Indian Salt Act, 1882.	The whole.
"	XVII	Lower Burma Municipal Act, 1884.	Section 5, *from* and shall *to the end of clause* (*b*). Section 14, clauses (*a*) and (*b*).
"	XVIII	Punjab Courts Act, 1884.	Section 1, sub-section (*4*). Sections 2, 68 and 69. The schedule.
"	XIX	Rangoon Water-works Act, 1884.	Section 1, sub-section (*3*).
"	XXI	Straits Settlements Emigration.	The whole.
1885	II	Negotiable Instruments Act, 1885.	Section 7. Section 8, clause (*b*), *and the word* and *at the end of clause* (*a*).
"	VII	Pánch Mahâls Laws Act, 1885.	Section 4, *from* and in Part II *to the end.*
"	IX	Tariff; Excise; Sea-customs.	In the title and preamble, *the words and figures* to repeal part of section 6 of the Indian Tariff Act, 1882, and. Section 1.
"	XII	Indian Sea Passengers' Act, 1885.	Section 2.
"	XVI	Central Provinces Civil Courts Act, 1885.	Section 1, sub-section (*4*). Sections 24 and 25.
"	XVII	Central Provinces Government Wards Act, 1885.	Section 2.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1 Year.	2 No.	3 Subject or title.	4 Extent of repeal.
1885	XX	Postponing temporarily the operation of certain provisions of the Bengal Tenancy Act, 1885.	The whole.
1886	II	License-tax Amendment.	Section 1, sub-section (*3*). The second schedule, Part III, clause (*b*).
"	IV	Amending the Indian Contract Act, 1872.	Section 2.
"	V	Mirzapur Stone Mahál Act, 1886.	Section 1, sub-section (*3*). Sections 2 and 19.
"	VI	Births, Deaths and Marriages Registration Act, 1886.	Section 1, sub-section (*3*).
"	X	Amending the Code of Criminal Procedure, 1882, &c.	Section 20. Section 24, sub-section (*2*).
"	XIII	Indian Securities Act, 1886.	Section 1, sub-section (*3*).
"	XIV	North-Western Provinces Rent Act, 1886.	Section 6. In section 7, *the words* the word "other" is repealed; and in *and the words* of the same section.
"	XVIII	Amending Act XXXVI of 1858 (Lunatic Asylums).	Section 3, so far as it relates to section 17A.
"	XX	Upper Burma Laws Act, 1886.	In section 1, sub-section (*2*), *the words* within four months from the passing of the Act. Section 5. The first schedule. The second schedule, First Part, so far as it relates to Act V of 1881, section 153.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1886	XXII	Oudh Rent Act, 1886.	Section 1, sub-section (*4*).
"	XXIII	Dekkhan Agriculturists' Relief Act, 1886.	Section 10, sub-sections (*1*) and (*2*).
			Section 12, sub-section (*2*).
			Section 13.
"	XXIV	Extension of the Glanders and Farcy Act, 1879, to Bombay.	The whole.
1887	II	Sea customs; Excise; Tariff.	Sections 7 and 9.
"	IV	Indian Museum Act, 1887.	Section 2.
"	VII	Suits Valuation Act, 1887.	Section 10.
"	VIII	Abolishing Military Courts of Requests.	The whole.
"	IX	Provincial Small Cause Courts Act, 1887.	Section 2, *down to the word* But.
			In section 17, sub-section (*1*), *the words* as amended by this Act.
			The first schedule.
"	XII	Bengal, North-Western Provinces and Assam Civil Courts Act, 1887.	Section 2, *down to the word* But.
"	XVI	Punjab Tenancy Act, 1887.	Sections 2 and 3.
			Section 4, clause (*11*), sub-clause (*a*).
			The schedule.
"	XVII	Punjab Land-revenue Act, 1887.	Section 1, sub-section (*4*).
			Section 3, clause (*9*), sub-clause (*a*).

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1888	VI	Debtors Act, 1888.	Section 9.
„	VII	Civil Procedure Code Amendment Act, 1888.	Sections 4, 25, 29 and 41. Section 49, sub-section (1). Section 50. Section 52, sub-section (1). Sections 56 and 57. In section 65, sub-section (3), *the words* "*the Code of Civil Procedure.*" Section 66, sub-section (2).
„	VIII	Tolls . .	In section 5, *the words* the words "and the Governor of the Presidency of Bombay in Council" are hereby repealed, and.
„	IX	Repealing enactments relating to contagious diseases.	The whole.
„	X	Amending the Code of Civil Procedure and the Presidency Small Cause Courts Act, 1882.	Section 4.
„	XIII	Punjab Courts Act, 1888.	Section 3.
„	XVI	Repealing Act VII of 1867 and Madras Regulation XIV of 1832.	The whole.
„	XIX	Amending the Lower Burma Municipal Act, 1884.	Section 3.
1889	V	Coroner of Madras.	Section 3, sub-section (2). Section 4, sub-section (1).
„	VI	Probate and Administration Act, 1889.	Section 9, sub-section (2). Section 18, sub-section (1). Section 21.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1889	XI	Lower Burma Courts Act, 1889.	The first and second schedules, so far as they relate to Regulation VII of 1886.
"	XII	Amending the Indian Merchandise Marks Act, 1889.	The whole.
"	XIII	Cantonments Act, 1889.	In sections 3, 21 and 26, the *figures* 1881, *wherever they occur*.
"	XVI	Central Provinces Land-revenue Act, 1889.	Section 3.
			In section 26, *the words and figures* Section 136 is hereby repealed, and.
			Section 26, so far as it relates to section 136W.
			Section 29, sub-section (2), *from* and the last *to the end*.
			Sections 30, 31 and 36.
"	XVII	Central Provinces Tenancy Act, 1889.	Section 3.
"	XX	Amending Act XXXVI of 1858 (Lunatic Asylums).	Section 3.
1890	II	Amending Act XVII of 1864, &c.	Section 11, sub-section (2).
"	III	Amending the Inland Steam-vessels Act, 1884, and the Indian Steam-ships Act, 1884.	Section 3.
			Section 4, sub-section (1).
			Sections 5 and 16.
			Section 17, sub-section (1).
			Section 18.
"	V	Forest Act, 1890	Section 21.
"	X	Amending Act XXV of 1867 (Printing-presses and Books).	Sections 1, 2 and 7.

THE FIRST SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—concld.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1890	XVIII	Amending the Indian Emigration Act, 1883.	Section 6.
"	XIX	Amending the Indian Salt Act, 1882.	Section 5, and the preamble prefixed thereto.
"	XX	North-Western Provinces and Oudh Act, 1890.	Section 17. Section 21, sub-section (2). Section 35. Section 43, *from* and the word "Oudh" *to the end.* Sections 48, 50 and 56.
1891	II	Amending the Indian Christian Marriage Act, 1872.	Section 1, sub-section (4). Section 4, sub-section (2).
"	IV	Amending the Code of Criminal Procedure, 1882.	Sections 1 and 3.
"	VI	Amending certain Acts respecting Indian Merchant Shipping.	Section 12.
"	VII	Amending Act X of 1841.	Section 1. In section 5, *the words* the words "or the East India Company" are hereby repealed, and. Section 6, sub-section (1). In section 8, *the words* the words "issued under the Company's seal and" are hereby repealed, and.

THE FIRST SCHEDULE—*contd.*

Part II.—Acts of the Lieutenant-Governor of Bengal in Council.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1866	I	Amending Bengal Regulation VI of 1819 (Ferries).	The whole Act, so far as it applies to Assam.
„	V	Hackney Carriages.	The whole Act, so far as it applies to Assam.
1867	II	Gambling . .	The whole Act, so far as it applies to Assam.
1875	V	Bengal Survey Act, 1875.	The whole Act, so far as it applies to Assam.

THE FIRST SCHEDULE—*contd.*

Part III.—Regulations of the Bengal Code.

1	2	3	4
Year.	No.	Subject.	Extent of repeal.
1793	XIX	Title to Non-bádsháhi Lákhiráj Grants.	In section 4, *the word and figures* and XXI.
"	XXXVIII	Loans by Civil Servants.	The title, *from* and for re-enacting *to the end.* Section 1, *from* From a regard *to* remained in force.
1794	III	Revenue arrears .	In the title, *the words* for exempting proprietors of land (with certain exceptions) from being confined for arrears of revenue; and *and the words* and for expediting the trial of causes relating to the public revenue or the rents of individuals.
1795	I	Benares Permanent Settlement.	The title, *from* and for extending *to* 1793.
"	XV	Referring cases to Raja of Benares.	The title, *from* for extending *to* Section X; and.
"	XXVII	Benares Permanent Settlement.	The title, *from* and for continuing *to* functions.
1799	I	Trade on Sylhet Frontier.	So much as has not been repealed.
"	V	Wills and Intestacies.	In the title, *the words* and City.
1800	VIII	Registers of estates.	The title, *from* preparing *to* prescribed.
1801	I	Division of joint estates.	The title, *from* to explain and amend part *to* such sales, *from* contained in Regulation XXV, 1793, *to* Regulation XXVI, 1795), *and from* and to fix *to the end.*

THE FIRST SCHEDULE—*contd.*

Part III.—Regulations of the Bengal Code—contd.

1	2	3	4
Year.	No.	Subject.	Extent of repeal.
1801	I—*contd.*	Division of joint estates.	In section 8, *the words and figures* by *clause First* of Section XXIX, Regulation VII, 1799, or any other Regulation. In section 14, *the words and figures from* The rules contained in *to* affected by this Regulation, *the words* It is further hereby declared that, *and the words and figures from* This declaration *to* portions thereof.
1804	X	State-offences .	In section 2, *the words* declared to be. In section 3, *the words* It is hereby further declared that.
1805	XII	Settlement, Cuttack.	In section 30, *the words and figures from* The rules *to* this Regulation, *the words* Provided however that, *the words and figures* under Section IV, Regulation XXIV, 1793, *and the word* likewise.
1806	XI	Assistance to marching troops and to travellers.	The title, *from* and for extending *to the end.* Section 1, *from* And whereas it is further necessary *to* Section XII, Regulation I, 1804. In section 8, *the words and figures* (under the rules prescribed by Regulation V, 1804).
1812	XVIII	Leases; Apportionment of Assessment on partition.	In section 3, clause *Second, the words and figures* and Section VII, Regulation XXVII, 1795.
,,	XXII	Territories bordering on Bandelkhand.	The title, *from* and for annexing *to* Calenger. Section 1.

THE FIRST SCHEDULE—*contd.*

Part III.—Regulations of the Bengal Code—contd.

1	2	3	4
Year.	No.	Subject.	Extent of repeal.
1812	XXII—*contd.*	Territories bordering on Bandelkhand.	In section 2, *the words* Ditto of Rajah Kisseree Sing, the Rajah of Jeytpore, *the words* Ditto of Chobey Salligram, jaghiredar of Cusbah Poorwah, &c., *and the words* Ditto of Pursram Bahadur, jaghiredar of Khuddee, &c. Sections 3 and 4.
1816	V	Kánúngos .	The whole Regulation, so far as it applies to Assam.
1817	XII	Patwáris . .	In section 32, *the words* reporting, however, the amount for the information of the Governor General in Council *and the words* when confirmed by Government. The whole Regulation, so far as it applies to Assam.
„	XX	Police . .	The title, *from* for modifying *to the end.* In the heading prefixed to section 30, *the word* badges *and the words* and insane persons. Forms Nos. 1, 4, 5, 7, 9 to 12 and 15 to 21 in the Appendix.
1819	I	Kánúngos and Patwáris.	The title, *from* for replacing *to* Gorakhpur. Section 4, clause *Fifth, from* anything *to the end.* The whole Regulation, so far as it applies to Assam.
„	II	Resumption of revenue-free lands.	In section 4, *the words and figures* and Regulations XLI and XLII of 1795, Regulations XXXI and XXXVI of 1803, Regulations VIII, *and the words and figures from* nor to alter *to the end.* In section 12, *the figures* XXVI. Section 29.

THE FIRST SCHEDULE—*contd.*

Part III.—Regulations of the Bengal Code - contd.

1	2	3	4
Year.	No.	Subject.	Extent of repeal.
1819	VIII	Patni Taluqs .	The title, *from* and to explain *to the end.*
			The preamble, *from* It has been likewise deemed advisable *to* defaulters.
1821	IV	Powers of Collectors and Magistrates.	The title, *from* for authorising a Collector *to* Also.
1822	VII	Settlement, Cuttack, &c.	The title, *from* for continuing *to* five years.
,,	XI	Non-liability of Government for errors of Courts, &c.	The title, *from* for modifying *to* arrears of revenue.
1823	VI	Indigo-contracts .	The preamble, *from* Under the rules *to* drawing up the agreement.
			In section 3, clause *Fourth, the words* or other officer.
			In section 3, clause *Fifth, the words* or other tribunal trying the case.
			In section 3, clauses *Sixth, Seventh* and *Ninth, the words* or other officer trying the case.
			In section 3, clause *Ninth, the words* or other person trying the case.
			The whole Regulation, so far as it applies to Assam.
1825	IX	Defaulting málguzárs.	The preamble, *from* and whereas the rules *to* sanctioned by Government.
			In section 2, clause *First, the words and figures* and Regulations II and XXII, 1795.
			In section 3, *the words* and Benares.
			Section 8, *from* Section XI, Regulation XXXI, 1803, *to* Conquered Provinces.
			Section 9.

THE FIRST SCHEDULE—*concld.*

Part III.—Regulations of the Bengal Code—concld.

1	2	3	4
Year.	No.	Subject.	Extent of repeal.
1825	XIII	Settlement of resumed Lákhiráj land.	In section 2, *the figures and words* IV, 1808, Regulations II and. In section 4, *the words and figures* or the second clause of Section VIII, Regulation XLI, 1795, in the province of Benares. In section 5, *the figures and word* XLII, 1795, and XXXVI, 1803.
1830	V	Indigo-contracts .	The title, *from* for amending *to* contracts. The preamble, *down to* indigo crops; and. The whole Regulation, so far as it applies to Assam.
1831	VI	Sadr Adálat .	So much as has not been repealed.
"	XI	Police-powers of Tahsíldárs.	The preamble, *from* Whereas by Regulation IV, 1821, *to* Magistrates; and *and from* and whereas it is expedient *to* police officers.

THE SECOND SCHEDULE.

ENACTMENTS AMENDED.

A description or citation of a portion of an Act or Regulation includes the words, section or other part mentioned or referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Part I.—Acts of the Governor General in Council.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1835	XIX	Assistant to Agent for Sardárs, Dekkhan.	*Add the following section :—* 2. The provisions of the Code of Civil Procedure relating to appeals to a High Court from decrees passed in appeal shall apply, so far as may be, to appeals to the Governor in Council under this Act. (Procedure in appeals to Governor of Bombay in Council.)
1839	VII	Tahsíldárs, Madras.	In section 6, *for* the three last preceding sections *read* sections 3 and 5.
1846	I	Pleaders . .	In section 7, *for* the sections of Regulations *read* the section of the Regulation.
1850	XIX	Binding Apprentices.	In section 11, *for* section VIII *read* section 9. In section 20, *for* and, *where the word occurs before* administrators, *read* or.
1851	XII	Land-revenue, Madras Town.	In the preamble and section 1, *for* within the limits of the Town of Madras as defined in Section XII, Regulation II of 1802 of the Madras Code *read* within the local limits of the ordinary original civil jurisdiction of the High Court of Judicature at Madras.
1856	VIII	Control of Gaols .	In the title and preamble, *for* Presidencies of Fort St. George and Bombay *read* Presidency of Bombay. In section 2, *for* each of the said Presidencies *read* the said Presidency.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1 Year.	2 No.	3 Subject or title.	4 Amendment.
1856	XX	Chaukidárs .	In section 38 (as amended by Act XXII of 1871, section 3), *for* Commissioners of Circuit *read* Commissioner.
1857	XXV	Forfeiture of property.	In section 2, *for* by this Act, or Act XI of 1857, or Act XIV of 1857, or Act XVI of 1857, *read* by the Indian Penal Code, section 121 or section 122, or the Indian Articles of War, Article 24.
1858	XXXVII	Nawáb of the Carnatic.	*For the list of names in Schedule A, read the following:—* 1. Her Highness Nawab Khair-un-Nissa Begam. 2. Nawab Ahmad-un-Nissa Begam. 3. Nawab Qadiria Begam. 4. Rahim-un-Nissa Begam. 5. Ammak-ul-Ali Aliyat-un-Nissa Begam.
1859	I	Merchant Seamen	In section 62, *for* Act XX of 1841 (*for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons*) *read* the Succession Certificate Act, 1889. In section 115, *for* Sections XXI and XXII of this Act *read* Chapter IV of the Indian Merchant Shipping Act, 1883, and section 22 of this Act.
1860	XXVIII	Boundary-marks, Madras.	In section 4, *for the words and figures from* in the same manner *to the end, read* in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts.
"	XLV	Indian Penal Code	In section 307, Illustration (*c*), *after* of *insert* the first paragraph of.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1863	XX	Religious Endowments.	In section 3, *for* Section I *read* the preamble to this Act.
1864	III	Foreigners .	In section 24, *for the words and figures from* according *to the end, read* be recovered in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts.
1865	X	Indian Succession Act, 1865.	In section 242, *after* is *insert* or are.
1867	III	Gambling .	In the preamble, *after* Fort William *insert* and. In section 2, *for* Sections 13, 17 and 18 *read* Sections 13 and 17.
"	XXIII	Murderous Outrages, Punjab.	In section 10, *for* the Punjab Chief Court Act, 1866, *read* in any other enactment for the time being in force.
"	XXV	Printing Presses and Books.	In section 3, *before* of the publisher *insert* the name.
1868	V	Commissioner in Sindh.	In the schedule, *for* Act VII of 1854 (for the apprehension within the territories under the Government of the East India Company of persons charged with the commission of heinous offences beyond the limits of the said territories, and for delivering them up to justice, and to provide for the execution of warrants in places out of the jurisdiction of the authorities issuing them) *read* The Foreign Jurisdiction and Extradition Act, 1879; *and for* Act VII of 1865 (to give effect to rules for the management and preservation of Government forests) *read* The Indian Forest Act, 1878.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1869	V	Indian Articles of War.	In Part I, clause (*c*), *for* or any Act *read* in any Act. In the heading to Article 170, *for* "*committed*" *read* "*of which any person is accused.*"
"	XX	Indian Volunteers' Act, 1869.	In section 22, *for the words from* if for offences committed outside *to the end, read* in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts.
1870	VII	Court-fees Act, 1870.	*For* section 34 *read the following*:— 34. (*1*) The Local Government may from time to time make rules for regulating the sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons. [Sale of stamps.] (*2*) All such rules shall be published in the local official Gazette, and shall thereupon have the force of law. (*3*) Any person appointed to sell stamps who disobeys any rule made under this section, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both. In Schedule I, Article 2, *for* Act No. XIV of 1859 (*to provide for the limitation of suits*), section 15, *read* the Specific Relief Act, 1877, section 9.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1870	VII—*contd.*	Court-fees Act, 1870.	In Schedule II, Article 4, *for* Bombay Act No. V of 1864 (*to give Mamlatdars' Courts jurisdiction in certain cases to maintain existing possession or to restore possession to any party dispossessed otherwise than by course of law*) *read* the Mamlatdars' Courts Act, 1876.
"	XXIV	Oudh Taluqdárs' Relief Act.	In section 12, *for the words* section three, *in the second place in which they occur, read* section 4.
"	XXVI	Prisons Act, 1870	In the preamble, *for* and British Burma *read* Coorg and Burma. In section 6, first paragraph (as amended by Act XIV of 1878), *for* and British Burma *read* Coorg and Burma. In section 47, clause (*2*), *for* assaults *read* assault.
"	XXVII	Amending the Indian Penal Code.	In section 13, *for* the said sections 124A and 225A *read* sections 124A, 225A and 225B.
1871	V	Prisoners' Act, 1871.	In section 13, *for* section eight of Act No. XXIII of 1861 (*to amend Act VIII of 1859*) *read* section 350 of the Code of Civil Procedure, *and for* the provisions as to deposit of fees and as to release on security contained in the same section, *read* the provisions as to release on security contained in section 349 of the same Code.
1872	IV	Punjab Laws Act, 1872.	In section 12 (as amended by Act XII of 1878, section 2), *for* the Punjab Tenancy Act, 1868, section 34, *read* the Punjab Tenancy Act, 1887, section 53. In section 50 (as amended by Act XV of 1875, section 3), *for* sections forty-three to forty-nine *read* sections 43 to 48.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1872	V	Jurisdiction over Sindh.	In section 2 (added by Act XX of 1872), *for* the Administrator General's Act, 1867, *read* the Administrator General's Act, 1874.
"	IX	Indian Contract Act, 1872.	In section 25, clause (1), *for* assurances *read* documents. In section 43, first paragraph, *for* one *read* one or more. In section 63, Illustration (*e*), *for* compensation *read* composition.
"	XV	Indian Christian Marriage Act, 1872.	In section 4, *after* is *insert* or are. In Schedule III, *for* (See section 28) *read* (See sections 28 and 31).
1873	VIII	Northern India Canal and Drainage Act, 1873.	In section 75, clause (3), *after* whom *insert* and.
1874	II	Administrator General's Act, 1874.	In section 15, *after* hereafter *insert* to.
"	IX	European Vagrancy Act, 1874.	In section 26, *for the words from* if for offences committed outside *to* time being *read* in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts.
"	XIV	Scheduled Districts Act, 1874.	*After* section 5, *insert the following section:—* 5A. In declaring an enactment in force in a scheduled district or part thereof under section 3 of this Act, or in extending an enactment to a scheduled district or part thereof under section 5 of this Act, the Local Government, with the previous sanction of the Governor General in Council, may declare the operation of the enactment to be subject to such restrictions and modifications as that Government thinks fit. [Marginal note: Modification of enactments in their application to scheduled districts.]

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1874	XIV—*contd.*	Scheduled Districts Act, 1874.	In the first schedule, Part I, No. II, *for* (7) The Konda Muttá of Belgám *read* (7) The Konda Muttá of Merangi.
			In the first schedule, Part III, No. I, *for* Divisions *read* Districts.
"	XV	Laws Local Extent Act, 1874.	In the second schedule, Part (*a*), in the entry relating to Madras Regulation II of 1806, *for* (parts of ss. 1 & 7) *read* (section 7, clause second).
			In the sixth schedule, Part I, No. II, *for* (7) The Konda Muttá of Belgám *read* (7) The Konda Muttá of Merangi.
			In the sixth schedule, Part III, No. I, *for* Divisions *read* Districts.
1876	X	Bombay Revenue Jurisdiction Act, 1876.	In section 1, clause (*b*), *for* Act XV of 1871 *read* Act XXI of 1881.
"	XIII	Indian Merchant Seamen's Act, 1876.	In section 8, last paragraph, *for* to imprisonment *read* with imprisonment.
"	XVII	Oudh Land-revenue Act, 1876.	In section 105, *for* field *read* fields.
"	XVIII	Oudh Laws Act, 1876.	In section 39, clause (*f*), *for* Oudh Revenue Act *read* Oudh Land-revenue Act, 1876.
1877	III	Indian Registration Act, 1877.	To section 1 *add* the following:—
			The Local Government may, with the previous sanction of the Governor General in Council, cancel any order excluding districts or tracts of country from the operation of this Act.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1877	III—*contd.*	Indian Registration Act, 1877.	In section 83, *for the words from* if for offences committed outside *to the end read* in the manner provided by the law for the time being in force for the recovery of fines imposed by Criminal Courts.
			After the third paragraph of section 89 *insert the following:*—
			Every Revenue-officer granting a certificate of sale to the purchaser of immoveable property sold by public auction shall send a copy of the certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the property comprised in the certificate is situate, and such officer shall file the copy in his Book No. 1.
			In section 90, clause (*c*), *for* or filed *read* are filed.
1878	I	Opium Act, 1878.	In section 24, *for* Deputy Collector *read* Deputy Commissioner.
"	VII	Indian Forest Act, 1878.	In section 41, clause (*e*), *for* depôt *read* depôts.
"	VIII	Sea-customs Act, 1878.	In section 2, *for* the first schedule *read* Part I of the schedule.
			In the schedule appended to section 167,
			in the first column of the entry numbered 3, *for* No. 2 *read* No. 4, *and for* landing or shipment *read* shipment and landing; *and*
			in the second column of the entry numbered 59, *for* 141 *read* 142.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1878	XVII	Northern India Ferries Act, 1878.	In section 17, clause *(c)*, *for* first *read* in the first instance, *and for the words and figures from* and then *to the end of the clause*, *read* and shall then, at the discretion of the Local Government— (*i*) be placed at the disposal of any District Board or District Boards established under the Punjab District Boards Act, 1883, or, (*ii*) be applied to any of the purposes specified in the second clause of section 5 of the Central Provinces Additional Rates Act, 1878, as the case may be; and.
1879	I	Indian Stamp Act, 1879.	In Schedule I, Article 5, clause (*b*), *for* right *read* rights. In Schedule II, Article 13, clause (*b*), *before* annual *insert* average.
"	XVI	Transport of Salt Act, 1879.	In section 3, clause (*a*), *for* section twenty-eight or section thirty-one of the Act of the Governor of Bombay in Council No. VII of 1873, or by a rawána granted under Madras Regulation I of 1805, section eleven, clause third, *read* Chapter V of the Madras Salt Act, 1889, or Chapter V of the Bombay Salt Act, 1890, or the corresponding law for the time being in force in the territories administered by the Governor of Fort St. George in Council or the Governor of Bombay in Council, as the case may be.

THE SECOND SCHEDULE—*contd*.

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1879	XXI	Foreign Jurisdiction and Extradition Act, 1879.	In section 6, *for the first thirty-three words read* The Governor General in Council may appoint any European British subject, either by name or by virtue of his office, to be a Justice of the Peace in or for any such country or place.
1880	VII	Indian Merchant Shipping Act, 1880.	In section 68, *for* purposes *read* purpose.
1881	V	Probate and Administration Act, 1881.	In section 59, *after* is *insert* or are. In section 83, *for* proceeding *read* proceedings.
"	XII	North Western Provinces Rent Act, 1881.	In section 94, *for* of village-expenses *read* for village-expenses, *and for* arrears or share *read* arrears, share, expenses or dues.
"	XVIII	Central Provinces Land-revenue Act, 1881.	In section 33, *for* the first five grades *read* the last five classes; *for* the Central Provinces Courts Act, 1865, *read* the Central Provinces Civil Courts Act, 1885; *and for* sections twelve, nineteen and twenty *read* section 7. In section 34, *for* the Central Provinces Courts Act, 1865, sections twelve, nineteen and twenty, *read* the Central Provinces Civil Courts Act, 1885, section 16 and section 17, sub-section (*1*), and the powers of a Court of a Commissioner described in the same Act, section 15, sub-section (*1*). In section 35, *for* the first four grades *read* the last four classes.
"	XIX	Lower Burma Forest Act, 1881.	In section 43, clause (*g*), *for* station *read* stations.
"	XXII	Excise Act, 1881.	In sections 13 and 55, *for* Chief Controlling Revenue-authority *read* Chief Revenue-authority. In the heading to Chapter V, *after* spirit *insert* and fermented liquor.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1882	V	Indian Easements Act, 1882.	In section 14, *for* right *read* a right.
"	VI	Indian Companies' Act, 1882.	In section 66, *after the word* cheque, *where it first occurs, insert* or. In section 88, *after* dates *insert* of. In section 127, *for* prove *read* proof. In section 144, clause (*f*), *after the word* bill, *in the last place in which it occurs, insert* hundi.
"	X	Code of Criminal Procedure, 1882.	In section 191, *between* District Magistrate *and* Sub-divisional Magistrate *insert* or. In section 206, *after* Sub-divisional Magistrate *insert* or. In Schedule III, in the part entitled "*I. Ordinary Powers of a Magistrate of the third class,*" *before the first entry, insert* (1A) Power to arrest, or direct the arrest, and to commit to custody a person committing an offence in his presence, section 64.
"	XIV	Code of Civil Procedure.	In section 6, clause (*d*), *for* Maulmain, Akyab or Bassein *read* or Maulmain. In section 266, clause (*i*), *for* Native *read* Indian. In section 484, *for* the sum *read* the same. In section 568, clause (*b*), *for* for *read* or.
1883	V	Indian Merchant Shipping Act, 1883.	In section 6, sub-section (*3*), *for* to simple imprisonment *read* with simple imprisonment.
"	XIV	North-Western Provinces and Oudh Local Boards Act, 1883.	In sections 36 and 37, *for* Government Civil Pension and Leave Codes, *wherever those words occur, read* Civil Service Regulations.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—contd.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1883	XV	North-Western Provinces and Oudh Municipalities Act, 1883.	In sections 37 and 38, *for* Government Civil Pension and Leave Codes *read* Civil Service Regulations.
"	XX	Punjab District Boards Act, 1883.	In sections 28 and 29, *for* Government Civil Pension and Leave Codes, *wherever those words occur, read* Civil Service Regulations.
1884	VI	Inland Steam-vessels Act, 1884.	In section 56, *for* to simple imprisonment *read* with simple imprisonment.
"	XVII	Lower Burma Municipal Act, 1884.	In sections 34 and 35, *for* Government Civil Pension and Leave Codes, *wherever those words occur, read* Civil Service Regulations.
1886	XII	Petroleum Act, 1886.	In section 1, sub-section (*3*), *for* The provisions of this Act *read* Sections 1 to 4 of this Act and the provisions.
"	XXIII	Dekkhan Agriculturists' Relief Act, 1886.	In section 10, sub-section (*3*), *for* the same section *read* section 58.
1887	XVI	Punjab Tenancy Act, 1887.	In section 45, sub-section (*2*), *before* year *insert* agricultural.
1888	III	Police Act, 1888	In section 2, sub-section (*1*), *for* the Bombay District Police Act, 1867, *read* or the corresponding law for the time being in force in the territories administered by the Governor of Bombay in Council.
"	VII	Civil Procedure Code Amendment Act, 1888.	In section 40, sub-section (*2*), *for* the same section *read* section 562. In section 52, sub-section (*2*), *for* the same section *read* section 566.
1889	V	Coroner of Madras.	In section 4, sub-section (*2*), *for* that Code *read* the Code of Criminal Procedure, 1882.

THE SECOND SCHEDULE—*contd.*

Part I.—Acts of the Governor General in Council—concld.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
1889	XI	Lower Burma Courts Act, 1889.	*For* section 87 *read the following* :— 87. For the purposes of section 47 of the Guardians and Wards Act, 1890, the Special Court constituted under Chapter V of this Act shall be deemed to be the High Court in respect of appeals from orders made by the Judge of the Town of Maulmain. (Appeals from orders under the Guardians and Wards Act, 1890.)
"	XIII	Cantonments Act, 1889.	In section 19, *for* shall not be imposed under section 17 of this Act in the cantonment, *read* shall not be leviable in the cantonment in pursuance of a notification under section 17 of this Act.
"	XVIII	Central Provinces Municipal Act, 1889.	In section 29, clause (*f*), *for* used *read* use.
1890	III	Amending the Inland Steam-vessels Act, 1884, and the Indian Steam-ships Act, 1884.	In section 4, sub-section (2), *for* the same section *read* section 11 of the said Act. In section 17, sub-section (2), *for* the same section *read* section 13 of the said Act.
1891	VII	Amending Act X of 1841.	In section 6, sub-section (2), *for* the same section *read* section 17 of the said Act.

THE SECOND SCHEDULE—*contd.*

Part II.—Regulations of the Bengal Code.

1	2	3	4
Year.	No.	Subject.	Amendment.
1793	XI	Inheritance .	In section 3, *for* that section *read* section 2, *and for* Regulation XXV, 1793, *read* the Estates' Partition Act, 1876.
1817	XII	Patwáris . .	In section 31, *for* Boards are *read* Board is. *For section 35 read the following :—* 35. (*1*) Any person aggrieved by a decision or order of a Collector under section 20 of this Regulation may appeal within six months from the date thereof to the Commissioner of the Division. Appeal to Commissioner from decision or order under section 20. (*2*) The Commissioner may reverse or alter any such decision or order in appeal.
"	XX	Police . .	In the heading prefixed to section 29, *for* Commercial, Salt and Opium Departments *read* Opium Department, *and for* those Departments *read* that Department. In section 29, clause *Twelfth*, *for* Section XXXI, Regulation XIII, 1816, *read* Act XIII of 1857, section 21.
1818	III	State Prisoners .	In section 9, *after* situated *insert* and.
1819	II	Resumption of revenue-free lands.	In section 6, clause *First*, *for the words from* in the Persian and Bengal languages *to* Conquered Provinces *read* in the vernacular of the district. In section 12, *after* belong *insert* he. In section 26, clause *Second*, *for* a appeal *read* an appeal.

THE SECOND SCHEDULE—*concld.*

Part II.—Regulations of the Bengal Code—concld.

1	2	3	4
Year.	No.	Subject.	Amendment.
1822	III	Board of Revenue for the Lower Provinces of the Presidency of Fort William in Bengal.	(*a*) In section 5, clause *First*, *for* the Governor General in Council, by an order in Council, *and for* the Governor General in Council similarly, (*b*) in section 5, clause *First*, first proviso, clause *Second* and clause *Third*, *for* Government, and (*c*) in section 5, clauses *Fourth* and *Fifth*, *for* the Governor General in Council—*read* the Lieutenant-Governor.
			In section 5, clause *First*, first proviso, *before* Collector *insert* Commissioner or.
			In section 5, clause *First*, third proviso, *for* formally confirmed *read* made or confirmed in accordance with rules sanctioned.
1823	VI	Indigo contracts.	In section 6, *for* a investigation *read* an investigation.
1825	XIII	Settlement of resumed lákhiráj land.	In section 4, *for* the Regulations *read* the Regulation.
			In section 5, *for* Regulations *read* Regulation.

S. HARVEY JAMES,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, OCTOBER 8, 1891.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 1st October 1891, and is hereby promulgated for general information:

ACT NO. XVIII OF 1891.

An Act to amend the Law of Evidence with respect to Bankers' Books.

WHEREAS it is expedient to amend the Law of Evidence with respect to Bankers' Books; It is hereby enacted as follows:—

Title, extent and commencement.

1. (*1*) This Act may be called the Bankers' Books Evidence Act, 1891.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force at once.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,—

(*1*) "company" means a company registered under any of the enactments relating to companies from time to time in force in British India, or incorporated by an Act of Parliament or of the Governor General in Council, or by Royal Charter or Letters Patent:

(*2*) "bank" and "banker" mean—

(*a*) any company carrying on the business of bankers;

(*b*) any partnership or individual to whose books the provisions of this Act shall have been extended as hereinafter provided:

(*3*) "bankers' books" include ledgers, day-books, cash-books, account-books and all other books used in the ordinary business of a bank:

(*4*) "legal proceeding" means any proceeding or inquiry in which evidence is or may be given, and includes an arbitration:

(*5*) "the Court" means the person or persons before whom a legal proceeding is held or taken:

(*6*) "Judge" means a Judge of a High Court:

(*7*) "trial" means any hearing before the Court at which evidence is taken; and

(*8*) "certified copy" means a copy of any entry in the books of a bank, together with a certificate written at the foot of such copy that it is a true copy of such entry; that such entry is contained in one of the ordinary books of the bank, and was made in the usual and ordinary course of business; and that such book is still in the custody of the bank, such certificate being dated and subscribed by the principal accountant or manager of the bank with his name and official title.

Power to extend provisions of Act.

3. The Local Government may, from time to time, by notification in the official Gazette, extend the provisions of this Act to the books of any partnership or individual carrying on the business of bankers within the territories under its administration, and keeping a set of not less than three ordinary account books, namely, a cash-book, a day-book or journal and a ledger, and may in like manner rescind any such notification.

4. Subject to the provisions of this Act, a certified copy of any entry in a banker's book shall in all legal proceedings be received as *primâ facie* evidence of the existence of such entry, and shall be admitted as evidence of the matters, transactions and accounts therein recorded in every case where, and to the same extent as, the original entry itself is now by law admissible, but not further or otherwise.

Mode of proof of entries in bankers' books.

5. No officer of a bank shall in any legal proceeding to which the bank is not a party be compellable to produce any banker's book the contents of which can be proved under this Act, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the Court or a Judge made for special cause.

Case in which officer of bank not compellable to produce books.

6. (*1*) On the application of any party to a legal proceeding, the Court or a Judge may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceeding, or may order the bank to prepare and produce, within a time to be specified in the order, certified copies of all such entries, accompanied by a further certificate that no other entries are to be found in the books of the bank relevant to the matters in issue in such proceeding, and such further certificate shall be dated and subscribed in manner hereinbefore directed in reference to certified copies.

Inspection of books by order of Court or Judge.

(*2*) An order under this or the preceding section may be made either with or without summoning the bank, and shall be served on the bank three clear days (exclusive of bank holidays) before the same is to be obeyed, unless the C
or Judge shall otherwise direct.

(*3*) The bank may at any time before the
limited for obedience to any such order as
said either offer to produce their books at
trial or give notice of their intention to
cause against such order, and thereupon
same shall not be enforced without fur
order.

7. (*1*) The costs of any application to
Court or a Judge under
for the purposes of
Act and the costs of anything done or to
done under an order of the Court or a Ju
made under or for the purposes of this
shall be in the discretion of the Court or Ju
who may further order such costs or any
thereof to be paid to any party by the ban
they have been incurred in consequence of
fault or improper delay on the part of the ban

Costs.

(*2*) Any order made under this sec
for the payment of costs to or by a bank may
enforced as if the bank were a party to
proceeding.

(*3*) Any order under this section awa
costs may, on application to any Court of
Judicature designated in the order, be exec
by such Court as if the order were a decree
money passed by itself:

Provided that nothing in this sub-sect
shall be construed to derogate from any po
which the Court or Judge making the or
may possess for the enforcement of its or
directions with respect to the payment of co

L. PORTER,

Offg. Secretary to the Government of Ind

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 8th October 1891, and, is hereby promulgated for general information :

ACT NO. XX OF 1891.

THE PUNJAB MUNICIPAL ACT, 1891.

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SECTIONS.

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95. Removal of projections and obstru[illegible]

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Deposit of Offensive Matter and Sla[illegible] places.

97. Removal and deposit of offensive [illegible]ter.
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SECTIONS.

SECTIONS.

The Punjab Municipal Act, 1891.

(Chapter I.—Preliminary.—Section 1.)

An Act to make better provision for the adm istration of Municipalities in the Punja

WHEREAS it is expedient to make better vision for the administration of municipalities the Punjab ; It is hereby enacted as follows

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (*1*) This Act may called the Punjab Mu pal Act, 1891.

(*2*) It extends only to the territories for time being administered by the Lieutenant-G ernor of the Punjab; and

force on such

The Punjab Municipal Act, 1891.

(*Chapter I.—Preliminary.—Sections 2-4. Chapter II.—Committees.—Section 5.*)

1884. 2. (*1*) The Punjab Municipal Act, 1884, is hereby repealed:

Repeal.

(*2*) But all municipalities constituted, committees established, limits defined, appointments, rules, regulations, bye-laws and orders made, notifications and notices issued, taxes, tolls, rates and fees imposed or assessed, contracts entered into and suits instituted under the said Act, or
1873. under the Punjab Municipal Act, 1873, or any enactment thereby repealed, shall, so far as may be, be deemed to have been respectively constituted, established, defined, made, issued, imposed or assessed, entered into and instituted under this Act.

Saving clause.

3. In this Act, unless there is something repugnant in the subject or context,—

Definitions.

(*1*) "municipality" means any local area declared by or under this Act to be a municipality:

(*2*) "committee" means a municipal committee established by or under this Act:

(*3*) "inhabitant" includes any person ordinarily residing or carrying on business, or owning or occupying immoveable property, in any municipality or in any local area which the Local Government has by notification under this Act proposed to declare to be a municipality:

(*4*) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway:

(*5*) "owner" includes the person for the time being receiving the rent of lands and buildings, or either of them, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive the same if the land or building were let to a tenant:

(*6*) "explosive" and "petroleum" have the meanings assigned to those words in the Indian
1884. Explosives Act, 1884, and the Petroleum Act,
1886. 1886, respectively:

(*7*) "notification" means a notification published under this Act in the official Gazette:

(*8*) "notified" means published as aforesaid:

(*9*) "rules" and "rule" mean respectively the rules made or to be made and notified by the Local Government under the authority of this Act, and any one of such rules: and

(*10*) "bye-laws" and "bye-law" mean respectively the regulations made or to be made by the committee at a special meeting under the authority of this Act, and any one of such regulations.

4. (*1*) The Local Government may, by notification, propose to declare any town or group of towns, together with or exclusive of any railway-station, village, building or land in the vicinity of any such town, or group of towns, a municipality under this Act:

Procedure for constituting municipality.

Provided that no military cantonment or part of a military cantonment shall, without the consent of the Governor General in Council, be

(*2*) Every such notification shall define the limits of the local area to which it relates.

(*3*) A copy of every notification under this section, with a translation in such vernacular language as the Local Government may direct shall be affixed in some conspicuous place in the court-house of the Deputy Commissioner within whose jurisdiction the local area to which the notification relates lies, and in one or more conspicuous places in that local area.

(*4*) The Deputy Commissioner shall certify to the Local Government the date on which the copy and translation were so affixed, and the date so certified shall be deemed to be the date of publication of the notification.

(*5*) Should any inhabitant desire to object to a notification issued under sub-section (*1*), he may, within six weeks from the date of its publication, submit his objection in writing through the Deputy Commissioner to the Local Government, and the Local Government shall take his objection into consideration.

(*6*) When six weeks from the date of the publication have expired, and the Local Government has considered and passed orders on such objections as may have been submitted to it, the Local Government may by notification declare the local area to be, for the purposes of this Act, a municipality of the first or second class.

(*7*) A committee shall come into existence at such time as the Local Government may by notification appoint in this behalf.

CHAPTER II.

COMMITTEES.

Constitution of Committees.

5. (*1*) There shall be established for each municipality a committee having authority over the municipality and consisting of such number of members not less than three as the Local Government may fix in this behalf.

Appointment or election of members.

(*2*) Every such committee shall consist of members appointed by the Local Government either by name or by office, or of members elected from among the inhabitants in accordance with rules made under this Act, or partly of the one and partly of the other, as the Local Government may by notification direct:

Provided that—

(*a*) if the Local Government has directed that the elected members shall constitute the whole or any proportion of the committee, it shall not afterwards direct that they shall constitute any smaller proportion thereof except in compliance with the request of a majority of the electors for the time being, or for some reason which the Local Government may deem to affect the public interests; and,

(*b*) unless the Governor General in Council shall otherwise direct, the appointed members who are salaried officers of Government shall not exceed one-third of the whole committee.

(*3*) When, under a direction issued under

The Punjab Municipal Act, 1891.

(*Chapter II.—Committees.—Sections 6-14.*)

required to be filled by election, and a sufficient number of members has not been elected, the Local Government may fill those places by appointment.

Term of office of members.

6. (*1*) If a member of committee is appointed by office, the person for the time being holding the office shall be a member of the committee until the Local Government shall otherwise direct.

(*2*) The term of office for which all other members of committee shall be appointed and elected respectively shall be fixed by the Local Government by rules made under this Act, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(*3*) An outgoing member may, if otherwise qualified, be re-elected or re-appointed.

Special provision with respect to term of office of appointed members.

7. The Local Government may at any time, for any reason which it may deem to affect the public interests, by notification direct that a seat on any committee which is then filled by election shall thenceforth when vacant be filled by appointment, and it may also for a like reason and in the like manner direct that the seat of any elected member shall be vacated upon a date appointed in the notification ;

and, in such last-mentioned case the said seat shall be vacated accordingly notwithstanding anything to the contrary in this Act or in the rules thereunder.

Special provision with respect to term of office of elected members.

8. The Local Government may at any time by notification direct that a seat on any committee then filled by appointment shall thenceforth when vacant be filled by election ;

and it may also direct that the seat of any appointed member shall be vacated upon a date appointed in the notification ;

and in such last-mentioned case the said seat shall be vacated accordingly nothwithstanding anything to the contrary in this Act or in the rules thereunder.

Special power to Local Government to fix term of office of certain members.

9. The Local Government may at any time fix the number of members to compose a committee below the number of members then composing the committee, and it may also by notification direct, so far as may be necessary to reduce the number of members to the number so fixed, that the seat of any specified member or members shall be vacated upon a date appointed in the notification ;

and, if such direction be given, the said seat or seats shall be vacated accordingly notwithstanding anything to the contrary in this Act or in the rules thereunder.

Resignation of member of committee.

10. (*1*) Any member of committee who may wish to resign may forward his written resignation, through the president of the committee, to the Deputy Commissioner ...

to the committee, the member shall be de... to have vacated his seat.

Powers of the Local Government as to removal of members.

11. (*1*) The Local Go... ment may by notific... remove any membe... committee—

(*a*) if he refuses to act, or becomes, in ... opinion of the Local Govern... incapable of acting, or has bee... clared a bankrupt or an insolve... convicted of any such offence, or ... jected by a Criminal Court to any ... order as implies, in the opinion o... Local Government, a defect of chara... which unfits him to be a member ;

(*b*) if he has been declared by notificatio... be disqualified for employment in, or ... been dismissed from, the public serv...

(*c*) if he has absented himself for more ... three consecutive months from ... meetings of the committee ;

(*d*) if his continuance in office is, in the ... ion of the Local Government, dang... ous to the public peace or order ; or

(*e*) in the case of a salaried officer of the G... ernment, if his continuance in office ... in the opinion of the Local Governm... unnecessary or undesirable.

(*2*) A person removed under this section s... be disqualified for election unless and until ... Local Government shall otherwise direct.

Filling of casual vacancies.

12. (*1*) Whenever a vacancy occurs by ... death, resignation or ... moval of any elected me... ber, a new member shall be elected in acco... ance with the rules made under this Act to ... the place :

Provided that the Local Government ma... direct in any such case that the vacancy sh... be left unfilled.

(*2*) Upon the death, resignation or remo... of any appointed member, the Local Governm... may, if it shall think fit, appoint a new memb... to fill the place.

(*3*) Every person elected or appointed to ... a casual vacancy shall hold his seat for the te... for and subject to the conditions upon which ... was tenable by the person in whose place he ... been so elected or appointed, and no longer ... he may, if otherwise qualified, be re-elected ... re-appointed.

Incorporation of committee.

13. Every committee shall be a body corpo... rate by the name of the ... municipal committee of ... municipality ; and shall have perpetual succes... sion and a common seal, with power to acquir... and hold property, both moveable and immo... able, and, subject to the provisions of this Act ... to transfer any property held by it, to contract ... and to do all other things necessary for the ... purposes of its constitution ; and may sue and ... be sued in its corporate name.

14. Every member of committee shall be ...

The Punjab Municipal Act, 1891.

(Chapter II.—Committees.—Sections 15-23.)

President and Vice-President.

Election or appointment of president and vice-president.

15. (*1*) Every committee shall, from time to time, elect one of its members to be president, and the member so elected shall, if approved by the Local Government in the case of a first class committee, or by the Commissioner in the case of a second class committee, become president of the committee:

Provided that the committee, instead of electing a president and submitting his name for approval to the Local Government or the Commissioner, may apply to the Local Government or the Commissioner, as the case may be, to appoint a president from among its members, and that the Local Government may, by notification, exclude any committee from the operation of this sub-section; and that in either of these cases, or if no election has been made within one month from the occurrence of a vacancy in the office of president, or if the person elected be not approved, the Local Government or the Commissioner, as the case may be, may, if it or he shall think fit, appoint one of the members of the committee to be president.

(*2*) Every committee may also, from time to time, elect one or two of its members to be vice-president or vice-presidents, and when two vice-presidents are elected on the same date shall declare which of them shall be deemed to be the senior.

(*3*) Every member elected or appointed under this section to be president or vice-president may be elected or appointed by office if he was appointed a member of the committee in the same way.

(*4*) If any president is elected or appointed by office, or if any vice-president is elected by office, then the person who for the time being holds the office shall be president or vice-president of the committee, as the case may be, during the term fixed under section 16, sub-section (*1*), for retention of office by a president or vice-president.

Term of office of president and vice-president.

16. (*1*) Every president shall hold office for such term, not exceeding three years, as the Local Government may by rule fix, and every vice-president shall hold office for such term as the committee may by bye-law fix.

(*2*) Whenever a president or vice-president vacates his seat or tenders in writing to the committee his resignation of his office, he shall vacate his office; and any president or vice-president may be removed from office by the Local Government in pursuance of a resolution to that effect passed by two-thirds of the members present at a special meeting.

(*3*) Every resignation of office tendered under this section shall be reported, as soon as may be, to the Deputy Commissioner.

Casual vacancies in office of president or vice-president.

17. (*1*) Upon the occurrence of any vacancy in the office of president or vice-president, a new president or vice-president shall be elected or appointed in manner provided by section 15.

(*2*) The person so elected or appointed to fill a casual vacancy shall hold office for the time for which it was tenable by the person in whose place he has been elected or appointed, and no longer, but he may, if otherwise qualified, be re-elected or re-appointed.

Notification of Elections and Appointments.

Notification of elections, appointments and vacancies.

18. Every election and appointment of a member or president of a committee shall be notified in the case of a municipality of the first class by the Local Government and in the case of a municipality of the second class by the Commissioner of the Division, and no such election or appointment shall take effect until it has been so notified.

Conduct of Business.

Time for holding meetings.

19. (*1*) Every committee shall meet for the transaction of business at least once in every month at such time as may, from time to time, be fixed by the bye-laws.

(*2*) The president or, in his absence, a vice-president may, whenever he thinks fit, and shall, on a requisition made in writing by not less than one-fifth of the members of committee, convene either an ordinary or a special meeting at any other time.

Ordinary and special meetings.

20. (*1*) Every meeting of committee shall be either ordinary or special.

(*2*) Any business may be transacted at an ordinary meeting unless required by this Act or the rules to be transacted at a special meeting.

Quorum.

21. (*1*) The quorum necessary for the transaction of business at a special meeting of committee shall be one-half of the committee, but shall not be less than three.

(*2*) The quorum necessary for the transaction of business at an ordinary meeting of committee shall be such number or proportion of the members of committee as may, from time to time, be fixed by the bye-laws, but shall not be less than three:

Provided that, if at any ordinary or special meeting of committee a quorum is not present, the chairman shall adjourn the meeting to such other day as he may think fit, and the business which would have been brought before the original meeting if there had been a quorum present shall be brought before, and transacted at, the adjourned meeting, whether there be a quorum present thereat or not.

Chairman of meeting.

22. At every meeting of committee the president, if present, or, in his absence or during the vacancy of his office, the senior vice-president present, and, if there be no president or vice-president present, then such one of their number as the members present may elect, shall preside as chairman.

Vote of majority decisive.

23. Except as otherwise provided by this Act or the rules, all questions which come before any meeting of committee shall be decided by a majority of the votes of the members present, the chairman of the meeting in case of an equality of votes having a second or casting vote.

The Punjab Municipal Act, 1891.

(*Chapter II.—Committees.—Sections 24-32.*)

Record and publication of proceedings.

24. (*1*) Minutes of the proceedings at each meeting of committee shall be drawn up and recorded in a book to be kept for the purpose, shall be signed by the chairman of the meeting or of the next ensuing meeting, shall be published in such manner as the Local Government may direct, and shall, at all reasonable times and without charge, be open to inspection by any inhabitant.

(*2*) A copy of every resolution passed at any meeting of committee shall, within three days from the date of the meeting, be forwarded to the Deputy Commissioner.

Bye-laws.

25. (*1*) Every committee may, from time to time, make bye-laws consistent with this Act and with the rules as to—

(*a*) the time and place of its meetings;

(*b*) the manner in which notice of ordinary and special meetings and adjourned meetings shall be given;

(*c*) the quorum necessary for the transaction of business at ordinary meetings;

(*d*) the conduct of proceedings at meetings and the adjournment of meetings;

(*e*) the custody of the common seal and the purposes for which it shall be used;

(*f*) the person or persons to be primarily responsible for the current executive administration and his or their powers; that is to say, what portion of the executive authority shall be exercised by the president, by a vice-president, by sub-committees, by individual members and by officers or servants of the committee;

(*g*) the persons by whom receipts shall be granted on behalf of the committee for money received under this Act;

(*h*) the appointment, duties, leave, suspension and removal of its officers and servants;

(*i*) the term for which a vice-president shall hold office; and

(*j*) all other similar matters.

(*2*) No bye-law made under clause (*c*) or clause (*f*) of sub-section (*1*) shall take effect until it has been approved by the Local Government.

(*3*) Every bye-law made under this section shall be published in such manner as the Local Government may direct.

Extraordinary powers of president and vice-president in case of emergency.

26. In cases of emergency, the president or, in his absence or during the vacancy of his office, a vice-president may direct the execution of any work or the doing of any act which the committee is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing such work or doing such act shall be paid from the municipal fund:

Provided that—

(*a*) he shall not act under this section in contravention of any order of the committee; and

(*b*) every direction ...

Joint Committees.

Joint committees.

27. A committee may concur with any committee, or with any district board, or with any cantonment authority, or with more than one such committee, board or authority, in appointing out of their respective bodies a joint committee for any purpose in which they are jointly interested, and in delegating to any such committee any power which might be exercised by either or any of the committees, boards or authorities concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence relating thereto.

Defects in Constitution and Irregularities.

Vacancies and irregularities not to invalidate proceedings.

28. No act done or proceeding taken under this Act shall be questioned on the ground merely of the existence of any vacancy in any committee or joint committee, or on account of any defect or irregularity not affecting the merits of the case.

Officers and Servants.

Appointment of secretary.

29. (*1*) Every committee shall, from time to time, at a special meeting, appoint one of its members, or, if the Commissioner consent to its appointing a person not a member, any other person, to be its secretary, and may, at a like meeting, remove any person so appointed.

(*2*) When a member of committee is appointed secretary, he shall receive no remuneration in respect of his services. When any other person is appointed secretary, the committee may with the previous sanction of the Commissioner assign to him such pay as it may think fit.

Employment of other officers and servants.

30. Subject to the provisions of this Act and the rules, a committee may employ, in addition to its secretary, such other officers and servants as may be necessary and proper for the efficient execution of its duties, and may assign to such officers and servants such pay as it may think fit, and may remove or dismiss any officer or servant so appointed.

Dismissal of Government officials.

31. A Government official who has been continuously employed by a committee from the commencement of the Punjab Municipal Act, 1884, and who is in the employment of the committee at the commencement of this Act, shall not be dismissed from that employment without the sanction of the Local Government.

Power to prevent extravagance in establishments.

32. If, in the opinion of the Commissioner, the number of persons employed by a committee as officers or servants, or whom the committee may propose to employ as such, or the remuneration assigned by the committee to those persons or any of them, is excessive, the committee shall, on the requirement of the Commissioner, reduce the number of those persons or the remuneration, as the case may be:

Provided that the committee may appeal ...

Pensions of Government officials serving committees.

33. In the case of an officer or servant being a Government official, a committee may,—

(*1*) if his services are wholly lent to it, subscribe for his pension or gratuity and leave-allowances in accordance with the Civil Service Regulations for the time being in force; and,

(*2*) if he devotes only a part of his time to the performance of duties in behalf of the committee, make such contribution on account of his pension or gratuity and leave-allowances as the Government may determine.

Pensions of others.

34. In the case of an officer or servant not being a Government official, a committee may—

(*1*) grant him leave-allowances and, if he is not entitled to pension or if his monthly pay is less than ten rupees, a gratuity; and

(*2*) if empowered in this behalf by the Local Government,—

(*a*) subscribe on his behalf for pension or gratuity under the Civil Service Regulations for the time being in force; or

(*b*) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which under the Civil Service Regulations for the time being in force the officer or servant would be entitled if the service had been service under the Government.

Contracts.

Authority to contract.

35. (*1*) The committee of any municipality of the first class may, subject to the provisions of this Act, delegate to one or more of its members the power of entering on its behalf into any particular contract whereof the value or amount does not exceed five hundred rupees, or into any class of such contracts.

(*2*) No contract by or in behalf of any committee whereof the value or amount exceeds five hundred rupees shall be entered into until it has been sanctioned at a meeting of committee.

Mode of executing contracts and transfers of property.

36. (*1*) Every contract made by or on behalf of the committee of any municipality of the first class whereof the value or amount exceeds one hundred rupees, and every contract made by or on behalf of the committee of any municipality of the second class whereof the value or amount exceeds fifty rupees, shall be in writing, and must be signed by two members, of whom the president or a vice-president shall be one, and countersigned by the secretary:

Provided that, when the power of entering into any contract on behalf of the committee has been delegated under the last foregoing section, the signature or signatures of the member or members to whom the power has been delegated shall be sufficient.

(*2*) Every transfer of immoveable property belonging to any committee must be made by an instrument in writing, executed by the president or vice-president, and by at least two other members of committee, whose execution thereof shall be attested by the secretary.

(*3*) No contract or transfer of the description mentioned in this section executed otherwise than in conformity with the provisions of this section shall be binding on the committee.

Penalty on member, officer or servant being interested in contract made with a committee.

37. (*1*) If any member, officer or servant of a committee or of a joint committee is, without the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that committee, he shall be deemed to have committed an offence under the Indian Penal Code, section 168. X

(*2*) No member, officer or servant of a committee or of a joint committee shall by reason only of his being a shareholder in, or a member of, any incorporated or registered company, be held to be interested in any contract entered into between the said company and the committee or joint committee; but no such person as aforesaid shall take part in any proceedings of the committee or joint committee relating to any such contract.

Privileges and Liabilities.

Suits against committee and its officers.

38. No suit shall be instituted against a committee, or against any officer or servant of a committee in respect of any act purporting to be done in its or his official capacity, until the expiration of one month next after notice in writing has been, in the case of a committee delivered or left at its office, and in the case of an officer or servant delivered to him or left at his office or place of abode, stating the cause of action and the name and place of abode of the intending plaintiff; and the plaint must contain a statement that such notice has been so delivered or left:

Provided that nothing in this section shall apply to any suit instituted under section 54 of the Specific Relief Act, 1877.

Liability of members of committees.

39. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to a committee if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a member of the committee; and a suit for compensation for the same may be instituted against him by the committee with the sanction of the Commissioner, or by the Secretary of State for India in Council, in such Court as the Local Government may direct.

Acquisition of Land.

Acquisition of land.

40. Where any land, whether within or without the limits of a municipality, is required for the purposes of this Act, the Local Government may, at the request of the committee, proceed to acquire it under the provisions of the Land Acquisition Act, 1870; and, on payment by the committee of the compensation awarded under that Act, and of any other charges incurred in acquiring the land, the land shall vest in the committee. X

The Punjab Municipal Act, 1891.

(*Chapter II.—Committees.—Section 41. Chapter III.—Taxation.—Sections 42-44.*)

Delegation of Powers.

Delegation of certain powers and functions of Local Government.

41. (*1*) The powers and functions of the Local Government under section 5, sub-section (*3*), section 10, section 12, and section 25, sub-section (*2*), may be delegated by the Local Government to the Commissioner of the Division.

(*2*) In regard to powers or functions delegated to him under this section, every Commissioner shall have the same authority as is given by this Act to the Local Government, and the delegation shall continue until revoked by the Local Government.

(*3*) A delegation under this section may be of all or any of the powers and functions aforesaid, and may be made generally in regard to either all the municipalities, or all the municipalities of a particular class, within the division of the Commissioner, or it may be made particularly in regard to certain municipalities only.

(*4*) The delegation may be by name or by office.

CHAPTER III.

TAXATION.

General Provisions.

Taxes which may be imposed.

42. (*1*) Subject to any general or special orders which the Governor General in Council may make in this behalf and to the rules, any committee may, from time to time, for the purposes of this Act, and in the manner directed by this Act, impose in the whole or any part of the municipality any of the following taxes and tolls, namely:—

(*A*) with the previous sanction of the Local Government,—

(*a*) a tax on buildings and lands—

(i) not exceeding in any municipality specified in the schedule 10 per cent., and elsewhere 7½ per cent., on the annual value; or

(ii) not exceeding in any municipality specified in the schedule one anna four pies, and elsewhere one anna, per square yard of the ground area; or

(iii) not exceeding in any municipality specified in the schedule four rupees, and elsewhere three rupees, per running foot of frontage in streets or bazars;

(*b*) a tax on persons practising any profession or art or carrying on any trade or calling in the municipality;

(*c*) a tax on all or any vehicles, boats, animals used for riding, driving, draught or burden, and dogs, when the vehicles, boats, animals used as aforesaid, and dogs, are kept within the municipality;

(*d*) a toll on vehicles and animals used as aforesaid entering the municipality and not liable to taxation under the preceding clause;

(*e*) a tax on menial and domestic servants;

(*f*) an octroi on animals or goods or both brought within the octroi-limits for

(*B*) with the previous sanction of the L[ocal] Government and of the Governor Gene[ral in] Council, any other tax:

Provided that any person may compound [for] exemption from all tolls leviable in respe[ct of] any animal or vehicle under clause (*d*) of [this] sub-section by paying the tax which would [have] been leviable in respect thereof under claus[e (*c*)] if the same had been kept within the mu[nici]pality.

(*2*) In this section "annual value" me[ans] the gross annual rent for which buildings [and] lands liable to taxation may reasonably [be] expected to let, and, in the case of houses, [may] be expected to let unfurnished:

Provided that in the case of land assesse[d to] land-revenue, or of which the land-revenue [has] been wholly or in part released, compounded [for,] redeemed or assigned, the annual value shal[l, if] the Local Government so direct, be deem[ed] to be double the aggregate of the follow[ing] amounts, namely:—

(*a*) the amount of the land-revenue for [the] time being assessed on the land, w[he]ther such assessment is leviable or n[ot;] or, when the land-revenue has be[en] wholly or in part compounded fo[r or] redeemed, the amount which, but [for] such composition or redemption, w[ould] have been leviable; and

(*b*) when the improvement of the land du[e to] canal-irrigation has been excluded fr[om] account in assessing the land-reven[ue,] the amount of the owner's rate [or] water-advantage rate or other rate [im]posed in respect of such improvement.

House-scavenging-tax.

43. When a committee has, in exercise of [the] powers conferred by t[his] Act, undertaken the hou[se]-scavenging of any ho[use] or building, it may charge the occupier of su[ch] house or building, in respect of the house-sca[]venging done for him, with a tax, imposed [in] manner directed by this Act, at such rate [as] it may think fit.

Water-tax.

44. (*1*) Besides the taxes mentioned in t[he] foregoing sections, a com[]mittee, with the previ[ous] sanction of the Local Government, may, for t[he] purpose of constructing or maintaining wo[rks] for the supply of water to the municipality [or] paying the principal or interest of any lo[an] raised for the construction of such works, i[m]pose, in manner directed by this Act, a t[ax] to be called the water-tax, upon buildings [and] lands which are so situated that their occupi[ers] can benefit by the works.

(*2*) The rate or amount of the tax so impo[sed] on different buildings or lands may be dete[r]mined with reference, among other conside[ra]tions, to their distance from the nearest p[oint] at which the water is deliverable by the wo[rks] and to their level; but in fixing it regard shall [be] had to the principle that the total net proce[eds] of the tax, with the estimated income from pa[y]ments for water supplied from the works und[er] special contracts, should not exceed the amo[unt]

Procedure in imposing taxes.

45. (*1*) A committee may, at a special meeting, pass a resolution to propose the imposition of any tax under section 42, section 43 or section 44.

(*2*) When such a resolution has been passed, the committee shall publish a notice defining the class of persons or description of property proposed to be taxed, the amount or rate of the tax to be imposed and the system of assessment to be adopted.

(*3*) Any inhabitant objecting to the proposed tax may, within thirty days from the publication of the said notice, submit his objection in writing to the committee; and the committee shall, at a special meeting, take his objection into consideration.

(*4*) If no such objection is received within the said period of thirty days, or if all such objections, having been considered as aforesaid, are deemed insufficient, the committee may forward its proposal to the Local Government, with the objections (if any) which have been submitted as aforesaid, and its decision thereupon.

(*5*) The Local Government, on receiving such proposal, may sanction or refuse to sanction the same, or return it to the committee for further consideration.

(*6*) When any such proposal which requires the further sanction of the Governor General in Council has been sanctioned by the Local Government, it shall submit the same to the Governor General in Council, with the objections (if any) received through the committee; and the Governor General in Council may sanction the proposal, or refuse to sanction it, or return it to the Local Government for further consideration.

(*7*) When any proposal of a committee has been sanctioned by the Local Government, or by the Local Government and the Governor General in Council, as the case may be, the committee may, at a special meeting, direct the imposition of the tax in accordance with such proposal.

(*8*) In giving such direction the committee shall fix a date on which the tax shall come into force:

Provided that—

(*a*) no tax shall come into force until its imposition has been notified:

(*b*) no tax shall come into force in less than three months from the date of the meeting at which its imposition is directed:

(*c*) a tax leviable by the year shall come into force on the first day of January or on the first day of April or on the first day of July or on the first day of October in any year; and, if it comes into force on any day other than the first day of January, shall be leviable by the quarter till the first day of January then next ensuing.

(*9*) A notification of the imposition of a tax under this Act shall be conclusive evidence that the tax has been imposed in accordance with the provisions of this Act.

Power to abolish or reduce tax.

46. A committee may, by a resolution passed at a special meeting and confirmed by the Local Government, abolish or reduce in amount any tax imposed under the foregoing sections.

Power to exempt from taxation.

47. (*1*) A committee may exempt, in whole or in part, for any period not exceeding one year, from the payment of any such tax any person who by reason of poverty may in its opinion be unable to pay the same, and may renew such exemption as often as may be necessary.

(*2*) A committee may, by resolution passed at a special meeting and confirmed by the Local Government, and the Local Government may by order, exempt in whole or in part from the payment of any such tax any person or class of persons or any property or description of property.

Power for Local Government to suspend levy of tax.

48. (*1*) If at any time it appears to the Local Government, on complaint made or otherwise, that any tax imposed under the foregoing sections is unfair in its incidence or that the levy thereof or of any part thereof is injurious to the interests of the general public, it may require the committee to take within a specified period measures to remove the objection; and, if within that period the requirement is not complied with to the satisfaction of the Local Government, the Local Government may by notification suspend the levy of the tax or of such part thereof until the objection has been removed.

(*2*) The Local Government may at any time by notification rescind any such suspension.

Taxes not invalid for defect of form.

49. No assessment and no charge or demand of any tax made under the authority of this Act shall be impeached or affected by reason of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or in the description of any property or thing liable to the tax, or of any mistake in the amount of assessment or tax, or by reason of any clerical error or other defect of form; and it shall be enough in any such tax on property, or any assessment of value for the purpose of any such tax, if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

Taxes when payable.

50. Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the committee, with the previous sanction of the Deputy Commissioner, may from time to time direct.

Receipts to be given.

51. For all sums paid on account of any tax under this Act a receipt, stating the amount and the tax on account of which it has been paid, shall be given by the person receiving the same on request by the person making the payment.

Appeals against taxation.

52. (*1*) An appeal against the assessment or levy of any tax under this Act shall lie to the Deputy Commissioner or to such other officer as may be empowered by the Local Government in this behalf:

Provided that, when the Deputy Commissioner or such other officer as aforesaid is a

The Punjab Municipal Act, 1891.

(*Chapter III.—Taxation.—Sections 53-59.*)

member of the committee, the appeal shall lie to the Commissioner of the Division.

(*2*) If, on the hearing of an appeal under this section, any question as to the liability to, or the principle of assessment of, a tax arises, on which the officer hearing the appeal entertains reasonable doubt, he may, either of his own motion or on the application of any person interested, draw up a statement of the facts of the case and the point on which doubt is entertained, and refer the statement with his own opinion on the point for the decision of the Chief Court.

(*3*) On a reference being made under sub-section (*2*), the subsequent proceedings in the case shall be, as nearly as may be, in conformity with the rules relating to references to the High Court contained in Chapter XLVI of the Code of Civil Procedure. **XIV of 1882.**

(*4*) In every appeal the costs shall be in the discretion of the officer deciding the appeal.

(*5*) Costs awarded under this section to the committee shall be recoverable by the committee as though they were arrears of a tax due from the appellant.

(*6*) If the committee fail to pay any costs awarded to an appellant within ten days after the date of the order for payment thereof, the officer awarding the costs may order the person having the custody of the balance of the municipal fund to pay the amount.

Limitation of appeal.

53. (*1*) No appeal shall lie in respect of a tax on any land or building unless it is preferred within one month after the publication of the notice prescribed by section 59 (*2*) or section 61, or after the date of any final order under section 60, as the case may be, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the officer before whom the appeal is preferred that he had sufficient cause for not presenting the appeal within that period.

(*2*) No appeal shall be entertained unless the appellant has paid all municipal taxes due from him to the committee up to the date of such appeal.

Taxation not to be questioned except under this Act.

54. No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned, in any other manner or by any other authority than is provided in this Act.

Duty of furnishing true information regarding liability to municipal taxation.

55. (*1*) The committee may, by written communication, call upon any inhabitant of the municipality to furnish such information as may be necessary in order to ascertain whether such inhabitant is liable to pay any municipal tax.

(*2*) If any inhabitant so called upon to furnish information omits to furnish it or furnishes information which is untrue, he shall be punishable with fine which may extend to one hundred rupees.

Taxes on Immoveable Property.

Preparation of assessment-list.

56. (*1*) The committee shall cause an a ment-list of all bu and lands on which tax is imposed to be pared, containing—

(*a*) the name of the street or division in the property is situated;

(*b*) the designation of the property, eith name or by number, sufficient for tification;

(*c*) the names of the owner and occup known;

(*d*) the annual value, area or length of age on which the property is asse and

(*e*) the amount of the tax assessed there the committee.

(*2*) For the purpose of preparing the li committee may require the owners or occup the buildings or lands to furnish it with turns of the measurements and of the annual value.

Publication of notice of assessments.

57. When the assessment-list has been pleted, the committee give public notice th and of the place wher list or a copy thereof may be inspected; every person claiming to be either or occupier of property included in the li any agent of such person, shall be at liber inspect the list and to make extracts ther without charge.

Public notice of time fixed for revising assessment-list.

58. (*1*) The committee shall at the ti the publication of su sessment-list give notice of a time, no than one month there when it will proceed to revise the valuation assessment; and in all cases in which any p ty is for the first time assessed, or the as ment thereof is increased, it shall also notice thereof to the owner or occupier property.

(*2*) All objections to the valuation and as ment shall be made in writing before the fixed in the notice, or orally or in writing at time.

Settlement of list.

59. (*1*) After the objections have been quired into and the p making them have allowed an opportunity of being heard eithe person or by authorized agent, as they may fit, and the revision of the valuation and as ment has been completed, the amendm made in the list shall be authenticated by signatures of not less than two members of committee, who shall at the same time c that no valid objection has been made to valuation and assessment contained in the except in the cases in which amendments been entered therein; and, subject to amendments as may thereafter be duly m the tax so assessed shall be deemed to be the for the year commencing on the first da January next ensuing, as also in the case tax then imposed for the first time for the p between the commencement of the tax and first day of January.

(*2*) The list when amended under this sect

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(Chapter III.—Taxation.—Sections 60-66.)

shall there be open during office-hours to all owners or occupiers of property comprised therein, or the agents of such persons, and a public notice that it is so open shall forthwith be published.

Further amendments of assessment-list.

60. (*1*) The committee may at any time amend the list by inserting the name of any person whose name ought to have been inserted, or by inserting any property which ought to have been inserted, or by altering the assessment on any property which has been erroneously valued or assessed through fraud, accident or mistake, after giving notice, to any person interested in the amendment, of a time, not less than one month from the date of service of such notice, at which the amendment is to be made.

(*2*) Any person interested in any such amendment may tender his objection to the committee in writing before the time fixed in the notice, or orally or in writing at that time, and shall be allowed an opportunity of being heard in support of the same in person or by authorized agent, as he may think fit.

New list need not be prepared every year.

61. It shall be in the discretion of the committee to prepare a new assessment-list every year, or to adopt the valuation and assessment contained in the list for any year, with such alterations as may in particular cases be deemed necessary, as the valuation and assessment for the year following, giving the same notice of the valuation and assessment as if a new assessment-list had been prepared.

Remission of tax on unoccupied immoveable property.

62. (*1*) When any property assessed to a tax under section 42, sub-section (*1*), division A, clause (*a*), or under section 44, which is payable by the year or by instalments, has remained unoccupied and unproductive of rent throughout the year or the period in respect of which any instalment is payable, the committee shall remit the amount of the tax or of the instalment, as the case may be:

Provided that no such remission shall be granted unless notice in writing of the circumstances under which it is claimed has been given to the committee within the first month of the period in respect of which it is so claimed.

(*2*) When any such property as aforesaid—

(*a*) has not been occupied or productive of rent for any period of not less than sixty consecutive days, or

(*b*) consists of separate tenements one or more of which has or have not been occupied or productive of rent for any such period as aforesaid, or

(*c*) is wholly or in greater part demolished or destroyed by fire or otherwise,

the committee may remit such portion (if any) of the tax or instalment as it may think equitable.

(*3*) The burden of proving the facts entitling any person to claim relief under this section shall lie upon him.

(*4*) For the purposes of this section neither the presence of a care-taker nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it shall constitute occupation of the house.

(*5*) For the purposes of this section a house shall be deemed to be productive of rent if let to a tenant who has a continuing right of occupation thereof, whether it is actually occupied by such tenant or not.

Taxes on immoveable property by whom payable.

63. (*1*) A tax payable under section 42, sub-section (*1*), division (*A*), clause (*a*), shall be paid by the owner of the property in respect of which it is payable.

(*2*) A tax payable under section 44 shall be paid by the occupier of the property in respect of which it is payable.

Recovery of taxes payable by owner.

64. (*1*) When any sum is due on account of a tax payable under this Act in respect of any property by the owner thereof, the committee shall cause a bill for the amount, stating the property and the period for which the charge is made, to be delivered to the person liable to pay the same.

(*2*) If the bill be not paid within ten days from the delivery thereof, the committee may cause a notice of demand to be served on that person; and, if he do not, within seven days from the service of the notice, pay the sum due, with any fee leviable for the notice, or show sufficient cause for non-payment, the sum due, with the fee, shall be deemed to be an arrear of tax.

(*3*) The amount of every such arrear, besides being recoverable in any other manner provided by this Act, shall, subject to any claim on behalf of Her Majesty, be a first charge on the property in respect of which it is payable, and shall be recoverable, on application made in this behalf by the committee to the Collector, as if the property were an estate assessed to land-revenue and the arrear were an arrear of such revenue due thereon:

Provided that nothing in this sub-section shall authorize the arrest of a defaulter.

Octroi and Tolls.

Power to examine article liable to octroi.

65. Every person bringing or receiving within the octroi-limits of any municipality any article on which octroi is payable shall, when required by an officer authorized by the committee in this behalf, and so far as may be necessary for ascertaining the amount of tax chargeable,—

(*a*) permit that officer to inspect, examine, weigh and otherwise deal with the article; and

(*b*) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature which he may possess relating to the article.

Power to search where octroi is leviable.

66. If any person, bringing or receiving a conveyance or package within the octroi-limits of a municipality in which octroi is leviable, shall refuse, on the demand of an officer authorized by the committee in this behalf, to permit the officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, the officer may cause the conveyance or package to be

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(Chapter III.—Taxation.—Sections 67-70. Chapter IV.—Municipal Fund and Property.—Sections 71-72.)

taken without unnecessary delay before any Magistrate or member of committee, who shall cause the inspection to be made in his presence.

Presentation of bill for octroi.

67. Every officer demanding octroi by the authority of the committee shall tender to every person introducing or receiving any article on which the tax is claimed a bill specifying the article taxable, the amount claimed and the rate at which the tax is calculated.

Recovery of octroi and tolls.

68. (*1*) In case of non-payment of any octroi or of any toll on demand, the officer empowered to collect the same may seize any article on which the octroi is chargeable, or any vehicle or animal on which the toll is chargeable, or any part of its burden of sufficient value to satisfy the demand.

(*2*) The committee may cause any property so seized, or so much thereof as may be necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid, after the lapse of five days from the seizure, and after the issue of a proclamation fixing the time and place of sale:

Provided that, by order of the president or a vice-president, articles of a perishable nature which could not be kept for five days without serious risk of damage may be sold after the lapse of such shorter time as he may, having regard to the nature of the articles, think proper.

Power to lease the collection of octroi or tolls.

69. The collection of any octroi or toll may be leased by the committee, with the previous sanction of the Commissioner, for any period not exceeding one year; and the lessee and all persons employed by him in the management and collection of the octroi or toll shall in respect thereof—

(*a*) be bound by any orders made by the committee for their guidance;

(*b*) have such powers exerciseable by officers of a committee under this Act as the committee may, from time to time, confer upon them; and

(*c*) be entitled to the same remedies and be subject to the same responsibilities as if they were employed by the committee for the management and collection of the octroi or toll.

Penalty for evasion of payment of octroi.

70. If goods passing the octroi-boundary of a municipality are liable to the payment of octroi, then every person who, with the intention to defraud the committee or its lessee for the collection of octroi, causes or abets the introduction of, or himself introduces or attempts to introduce, within the said octroi-boundary any such goods upon which payment of the octroi due on such introduction has neither been made nor tendered, shall be punishable with fine which may extend either to

CHAPTER IV.

MUNICIPAL FUND AND PROPERTY.

Constitution of municipal fund.

71. There shall be formed for each municipality a municipal fund and there shall be placed to the credit thereof—

(*a*) all sums received by or on behalf of the committee under this Act or otherwise;

(*b*) all fines realized in cases in which prosecutions for offences committed within the municipality are instituted under this Act or the rules or under section 34 of Act V of 1861 or under the Prevention of Cruelty to Animals Act, 1890; and

(*c*) the balance (if any) standing at the credit of the municipal fund of the municipality at the commencement of this Act.

Application of fund.

72. (*1*) The committee shall set apart and apply out of the municipal fund—

(*a*) *first*, such sum as may be required for the payment of any amounts falling due on any loan legally contracted by it;

(*b*) *secondly*, such sum as may be required to meet the charges of its own establishment, including such subscriptions and contributions as are referred to in sections 33 and 34, and such sum as may be required for the maintenance of a police establishment under Chapter V;

(*c*) *thirdly*, such sum as may be required to pay the expenses of pauper lunatics sent to public asylums from the municipality and as ought, in the opinion of the Local Government, to be paid by the committee, the expenses incurred in auditing the accounts of the committee, and such portion of the cost of any public expenditure by the Government of India or the Local Government as may be held by the Local Government to be equitably payable by the committee in return for services rendered to it.

(*2*) Subject to the charges specified in sub-section (*1*) and to such rules as the Local Government may make with respect to the priority to be given to the several duties of the committee, the municipal fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the municipality, and with the sanction of the Commissioner outside the municipality, namely:—

(*a*) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, embankments, drains, latrines, tanks and water-courses;

(*b*) the watering and lighting of such streets or any of them;

(*c*) the construction, establishment and maintenance of schools, hospitals and dispensaries, and other institutions for the promotion of education or for the benefit of the public health, and of rest-houses, sarais, poor-houses, markets, encamping-grounds, pounds and other works of public utility, and the control and administration of public institutions

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(*Chapter IV.—Municipal Fund and Property.—Sections 73-78. Chapter V.—Municipal Police.—Section 79.*)

and other educational or charitable institutions;

(*e*) the training of teachers and the establishment of scholarships;

(*f*) the giving of relief and the establishment and maintenance of relief-works in time of famine or scarcity;

(*g*) the supply, storage and preservation from pollution of water for the use of men or animals;

(*h*) the planting and preservation of trees;

(*i*) the taking of a census, the registration of births, marriages and deaths, public vaccination and any sanitary measure;

(*j*) the holding of fairs and industrial exhibitions; and

(*k*) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure whereon may be declared by the committee, with the sanction of the Local Government, to be an appropriate charge on the municipal fund.

Payment of salary to president out of fund.

73. With the sanction of the Local Government a salary of such amount as the Local Government may fix may be paid to the president of a committee, not being a salaried officer of Government, out of the municipal fund.

Custody of municipal fund.

74. (*1*) In places where there is a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over, the municipal fund shall be kept in such treasury, sub-treasury or bank.

(*2*) In places where there is no such treasury, sub-treasury or bank, the municipal fund may be deposited with any banker, or person acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the Commissioner may in each case think sufficient.

Investment of same.

75. (*1*) A committee may, from time to time, with the previous sanction of the Commissioner, invest any portion of its municipal fund in securities of the Government of India or such other securities as the Governor General in Council may approve in this behalf, and vary such investments for others of a like nature.

(*2*) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the municipal fund.

Property vested in committee.

76. Subject to any special reservation which may be made by the Local Government, all property of the nature hereinafter in this section specified and situated within the municipality shall be vested in and belong to the committee, and shall, with all other property which may become vested in the committee, be under its direction, management and control, and shall be held and applied by it for the purposes of this Act, that is to say:—

(*a*) all public town-walls, gates, markets, slaughter-houses, manure and night-soil depôts and public buildings of every description which have been constructed or are maintained out of the municipal fund;

(*b*) all public streams, springs and works for the supply, storage and distribution of water for public purposes, and all bridges, buildings, engines, materials and things connected therewith or appertaining thereto, and also any adjacent land (not being private property) appertaining to any public tank or well;

(*c*) all public sewers and drains, and all sewers, drains, culverts and water-courses in, alongside or under any street, and all works, materials and things appertaining thereto;

(*d*) all dust, dirt, dung, ashes, refuse, animal-matter or filth or rubbish of any kind, or dead bodies of animals, collected by the committee from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in places fixed by the committee under section 97;

(*e*) all public lamps, lamp-posts and apparatus connected therewith or appertaining thereto;

(*f*) all land or other property transferred to the committee by the Government or by gift, purchase or otherwise for local public purposes;

(*g*) all streets, and the pavements, stones and other materials thereof, and also all trees, erections, materials, implements and things provided for such streets.

Management of public institutions.

77. (*1*) The management, control and administration of every public institution maintained out of the municipal fund shall vest in the committee:

Provided that the extent of the independent authority of the committee in respect of any such institution may be prescribed by the Local Government.

(*2*) When any public institution has been placed under the direction, management and control of the committee, all property, endowments and funds belonging thereto shall be held by the committee in trust for the purposes to which such property, endowments and funds were lawfully applicable at the time when the institution was so placed.

Transfer to Crown of property vesting in committee.

78. The committee may, with the sanction of the Local Government, transfer to Her Majesty any property vesting in the committee under section 76 or section 77, but not so as to affect any trusts or public rights subject to which the property is held.

CHAPTER V.

MUNICIPAL POLICE.

Police-establishment.

79. (*1*) Every committee shall, unless relieved of this obligation by the Local Government, maintain a sufficient police-establishment for police requirements within municipal limits and for the performance of the duties imposed on it by this Act.

(*2*) The establishment maintained under sub-section (*1*) shall consist either of a body of

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(*Chapter V.—Municipal Police.—Sections 80-84. Chapter VI.—Powers fo Sanitary and other Purposes.—Sections 85-87.*)

watchmen or of part of the general police-force under the Local Government within the meaning of section 2 of Act V of 1861, or partly of one and partly of the other, as the Local Government may determine; and shall consist of such number of officers and men, who shall respectively receive such pay, leave-allowances, gratuities and pensions as the committee may from time to time, after consultation with the District Magistrate and the Inspector General of Police, and subject to the final decision of the Local Government, direct.

Relief of committee from police-charges.

80. (*1*) The Local Government may relieve any committee of the whole or part of the cost of the police-establishment, and may enter into a contract with the committee, on such terms as may be agreed on, that, in consideration of such relief, the committee shall pay periodically a sum not exceeding the amount thereof, or undertake any services within the municipality to which the municipal fund can properly be applied, and which are estimated to cost not more than the amount of the relief.

(*2*) When a committee has been relieved under this section of the whole or part of the cost of the police-establishment which it is required to maintain, the Local Government shall maintain such police-establishment as it shall consider necessary, and the establishment so maintained may consist either of a body of watchmen or of a part of the general police-force under the Local Government within the meaning of section 2 of Act V of 1861, or partly of one and partly of the other.

Appointment, liabilities and duties of municipal watchmen.

81. (*1*) If the establishment maintained under this Chapter consist wholly or in part of watchmen, they—

(*a*) shall be under the orders of the District Superintendent of Police, subject to the general control of the District Magistrate;

(*b*) shall be appointed and promoted, and shall be liable to dismissal, suspension, reduction or fine, under such rules as the Local Government may make in this behalf;

(*c*) shall perform such duties as the Local Government may, subject to the provisions of this Act, direct; and

(*d*) shall possess the same powers, be entitled to the same assistance, enjoy the same protection, be subject to the same responsibilities and be liable to the same penalties as if they were police-officers enrolled under Act V of 1861.

(*2*) Any person obstructing any such watchman in the discharge of his duties may be arrested without warrant by a police-officer or by any such watchman.

Duties of municipal police enrolled under Act V of 1861.

82. If the establishment maintained under this Chapter or any portion thereof consist of part of the general police-force, the Local Government may, notwithstanding anything contained in Act V of 1861 or in any other Act for the time being in force, define, subject to the provisions of this Act, the duties which the officers and men of th...

Powers and duties of police in respect of offences against Act and rules, and assistance to municipal authorities.

83. (*1*) Every member of a police-esta... ment under this Act ... give immediate in... tion to the commi... any offence com... against this Act or rules or bye-laws, and shall be bound to ... all members, officers and servants of the ... mittee in the exercise of their lawful auth...

(*2*) Every member of such police-est... ment may arrest any person committing i... view any offence against this Act or the r... or bye-laws—

(*a*) if the name and address of the pers... unknown to him, and

(*b*) if the person declines to give his name ... address, or if there is reason to d... the accuracy of the name and addr... given.

(*3*) A person arrested under this secti... be detained until his name and addre... been correctly ascertained:

Provided that no person so arrested sh... detained longer than may be necessar... bringing him before a Magistrate excep... the order of a Magistrate for his detentio...

Police-protection at fairs, &c.

84. When special police-protection is, ... opinion of the Local ... ernment, requisite ... occasion of any fair ... cultural show or industrial exhibition ... by a committee, the Local Governmen... provide such protection, and the com... shall pay the whole charge thereof or ... portion of such charge as the Local Gov... ment may consider equitably payable by it.

CHAPTER VI.

POWERS FOR SANITARY AND OTHER PUR...

Streets and Buildings.

Power to acquire land for building-sites adjoining new streets.

85. When any land is required for a ... street or for the imp... ment of an existing st... the committee may pr... to acquire, in addit... the land to be occupied by the street, the ... necessary for the sites of the buildings ... erected on both sides of the street.

Power to close streets.

86. The committee may close temporar... street vested in it or ... part thereof for the ... pose of repairs, or for the purpose of const... ing or repairing any sewer, drain, culve... bridge, or for any other public purpose, ... may divert, discontinue or close perman... any such street, and sell the land or such ... thereof as may not be required for the purpo... this Act.

Power to permit temporary occupation of streets, &c.

87. The committee may grant permissio... writing for the tempo... occupation of any stre... land vested in it for ... purpose of depositing ... building-materials or making any tempora... cavation therein or erection thereon, subje...

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(*Chapter VI.—Powers for Sanitary and other Purposes.—Sections 88-92.*)

may charge fees for such permission, and may at its discretion withdraw the permission.

Power to attach brackets for lamps.

88. The committee may attach to the outside of any building brackets for lamps in such manner as not to occasion any injury thereto or inconvenience.

Names of streets and numbers of buildings.

89. (*1*) The committee may cause a name to be given to any street, and to be affixed on any building in such place as it may think fit, and may also cause a number to be affixed to any building; and in like manner may, from time to time, cause such names and numbers to be altered.

(*2*) Whoever shall destroy, pull down or deface any such name or number, or put up any different name or number from that put up by order of the committee, shall be punishable with fine which may extend to twenty rupees.

Roofs and external walls not to be made of inflammable materials.

90. The committee may direct that, within certain limits, to be fixed by it, the roofs and external walls of huts or other buildings shall not be made or renewed of grass, mats, leaves or other highly inflammable materials without the permission of the committee in writing; and the committee may, by written notice, require any person who has disobeyed any such direction to remove or alter the roofs or walls so made or renewed as it may think fit.

Power to regulate line of buildings.

91. (*1*) Should any building or part of a building project beyond the regular line of a street, either existing or determined on for the future, or beyond the front of the building on either side thereof, the committee may, whenever such building or part has been either entirely or in greater part taken down or burnt down, or has fallen down, by notice require such building or part, when being re-built, to be set back to or towards the said regular line or the front of the adjoining buildings; and the portion of the land added to the street by such setting back or removal shall become part of the street and shall vest in the committee:

Provided that the committee shall make full compensation to the owner for any damage he may sustain in consequence of his building or any part thereof being set back.

(*2*) The committee may, on such terms as it may think fit, allow any building to be set forward for the improvement of the line of the street.

Notice of new buildings.

92. (*1*) Every person who intends to erect or re-erect any building shall, if required to do so by any bye-law, give notice in writing in the manner hereinafter prescribed of his intention to the committee, and the committee may within six weeks after the receipt of such notice either refuse to sanction the said building, or may sanction the said building either absolutely or subject to any written directions which the committee may deem fit to issue in respect of all or any of the matters following, namely:—

(*a*) free passage or way in front of the building;

(*b*) space to be left about the building to secure free circulation of air and facilitate scavenging and for the prevention of fire;

(*c*) ventilation, and the provision and position of drains, privies or cesspools;

(*d*) level and width of foundation, level of lowest floor and stability of structure; and

(*e*) the line of frontage with neighbouring buildings, if the building abuts on a street;

and the person erecting or re-erecting any such building as aforesaid shall obey all such written directions:

Provided that the committee shall make full compensation to the owner for any damage which he may sustain in consequence of the prohibition of the re-erection of any building, or of its requiring any land belonging to him to be added to the street.

(*2*) Any person giving notice to the committee under sub-section (*1*) shall, if required to do so by any bye-law, along with his notice forward a plan and specification of the building which he intends to erect or re-erect, together with a site-plan of the land of such character and with such details as the bye-law may require. No notice under sub-section (*1*) shall be valid until such plans and specification have been supplied.

(*3*) In any case to which sub-section (*2*) does not apply, the committee may within fifteen days from the receipt of any notice under sub-section (*1*) require a person who has given such notice to submit within one week of the receipt of the requisition a sufficient plan and specification of the building which he intends to erect or re-erect, together with a site-plan of the land, with such reasonable details as the committee may prescribe in its requisition; and in such case the notice shall not be valid until such plans and specification have been supplied.

(*4*) Should any such building be begun or erected without giving notice, or without submitting such plans and specification as aforesaid or in contravention of any legal order of the committee issued within six weeks of receipt of a valid notice under sub-section (*1*), the committee may, by notice to be delivered within a reasonable time, require the building to be altered or demolished, as it may deem necessary.

(*5*) Should the committee neglect or omit for six weeks after the receipt of a valid notice under sub-section (*1*) to make and deliver to the person who has given such notice any order in respect thereof, it shall be deemed to have sanctioned the proposed building absolutely.

(*6*) Every sanction for the erection or re-erection of any building which shall be given or deemed to have been given by a committee shall be available for one year from the date on which the notice shall have become valid and complete, and no longer, and should the building so sanctioned not have been begun by the person who has obtained such sanction or some one lawfully claiming under him within such year, it shall not be begun without fresh sanction; but such person as aforesaid may at any subsequent time give fresh notice to the committee in the manner hereinbefore prescribed,

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and thereupon the provisions hereinbefore contained shall apply to such notice.

Power of committee to make bye-laws as to mode of construction of buildings.

93. (*1*) The committee may by bye-laws regulate in respect of the erection or re-erection of any building within the municipality—

(*a*) the materials and method of construction to be used for external and party walls, roofs, floors, fire-places and chimneys;

(*b*) the position of fire-places, chimneys, drains, privies and cesspools;

(*c*) the height and slope of the roof above the uppermost floor upon which human beings are to live or cooking operations are to be carried on;

(*d*) the number and height of the storeys of which the building may consist; and

(*e*) the means to be provided for egress from the building in case of fire:

Provided that the committee may by resolution dispense with the observance of any or all of the bye-laws made under this section in regard to the erection or re-erection of any building specified in the resolution.

(*2*) If in and during the erection or re-erection of any building any bye-law under this section is contravened, the committee may by notice, to be delivered within a reasonable time, require the building to be altered or demolished within the space of thirty days, as it may deem necessary:

Provided that no such notice shall issue in respect of the contravention of any bye-law of which the observance has been dispensed with under the proviso to sub-section (*1*).

(*3*) This section shall not take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee.

Definition of expression "erect or re-erect any building."

94. The expression "erect or re-erect any building" includes—

(*a*) any material alteration or enlargement of any building;

(*b*) the conversion into a place for human habitation of any building not originally constructed for human habitation;

(*c*) the conversion into more than one place for human habitation of a building originally constructed as one such place;

(*d*) the conversion of two or more places of human habitation into a greater number of such places;

(*e*) such alterations of the internal arrangements of a building as effect an alteration of its drainage or sanitary arrangements, or affect its security; and

(*f*) the addition of any rooms, buildings, out-houses or other structures to any building.

Removal of projections and obstructions.

95. (*1*) It shall not be lawful, without the written permission of the committee, for the owner or occupier of any building to add to, or place against or in front of, the building any projection or structure overhanging, projecting into or encroaching on any street or into or on any drain, sewer or aqueduct therein

(*2*) The committee may, by notice, requ[ire the] owner or occupier of any building to rem[ove or] alter any such projection or encroachm[ent] aforesaid:

Provided that, in the case of any pro[jection] or encroachment lawfully in existence [at the] commencement of this Act, the committ[ee] make reasonable compensation for any d[amage] caused by the removal or alteration.

(*3*) The committee may by resolution giv[e per]mission to the owners or occupiers of bu[ildings] in any particular street to put up open [veran]dahs, balconies or rooms projecting from a[ny up]per storey thereof to an extent beyond th[e line] of the plinth or basement-wall, and at a h[eight] from the level of the ground or street, [as] specified in the resolution.

Bathing and Washing Places.

Bathing and washing places.

96. The committee may set apart s[uitable] places for the purp[ose of] bathing, and may s[pecify] the times at which, a[nd the] sex of the persons by whom, such place[s may] be used, and may also set apart suitable p[laces] for washing animals or clothes, or for any [other] purpose connected with the health, clea[nliness] or comfort of the inhabitants; and may by [pub]lic notice prohibit bathing, or washing a[nimals] or clothes, in any public place not so set [apart,] or at times or by persons other than those [speci]fied, and any other act by which water in p[ublic] places may be rendered foul or unfit for u[se.]

Deposit of Offensive Matter and Slau[ghter] places.

Removal and deposit of offensive matter.

97. The committee may fix places wit[h or] with the approval [of the] District Magistrate [be]yond the limits of the m[uni]cipality for the deposit of refuse, rubbi[sh or] offensive matter of any kind or for the di[sposal] of the dead bodies of animals, and may by [pub]lic notice give directions as to the time, [manner] and conditions at, in and under whi[ch] refuse, rubbish or offensive matter o[r dead] bodies of animals may be removed alo[ng any] street and deposited at such places.

Places for slaughter of animals for sale.

98. (*1*) The committee may, with the a[pproval] of the District M[agis]trate, fix premises within or without the l[imits] of the municipality for the slaughter of an[imals] for sale, or of any specified description of [such] animals, and may with the like approval g[rant] and withdraw licenses for the use of [such] premises, or, if they belong to the comm[ittee,] charge rent or fees for the use of the same.

(*2*) When such premises have been fixed [by] the committee beyond municipal limits, it [shall] have the same power to make rules for the insp[ec]tion and proper regulation of the same as if th[ey] were within those limits.

(*3*) When any such premises have been fix[ed,] no person shall slaughter any such animal for s[ale] within the municipality at any other place.

(*4*) Should any one slaughter for sale any su[ch] animal at any other place within the municip[ality] he shall be punishable with fine which may ext[end]

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Places for slaughter of animals not for sale.

99. (*1*) The committee may by bye-law fix premises within the municipality in which the slaughter of animals of any particular kind not for sale shall be permitted, and prohibit, except in case of necessity, such slaughter elsewhere within the municipality:

Provided that no such bye-law shall apply to animals slaughtered for any religious purpose;

(*2*) This section shall not take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee.

Special provision with respect to disposal of dead bodies of animals.

100. (*1*) Whenever any animal in the charge of any person dies otherwise than by slaughter either for sale or for some religious purpose, the person in charge thereof shall within twenty-four hours either—

(*a*) convey the carcase to a place (if any) fixed by the committee under section 97 for the disposal of the dead bodies of animals, or

(*b*) give notice of the death to the committee, whereupon the committee shall cause the carcase to be disposed of.

(*2*) Every person bound to act in accordance with sub-section (*1*) shall, if he fail so to act, be punishable with fine which may extend to ten rupees.

(*3*) In respect of the disposal of the dead body of an animal under clause (*b*) of sub-section (*1*) the committee may charge such fee as the committee, with the sanction of the Commissioner, may by bye-law have prescribed.

(*4*) For the purposes of this section the word "animal" shall be deemed to mean all horned cattle, elephants, camels, horses, ponies, asses, mules, deer, sheep, goats, swine and other large animals.

Burial and Burning Places.

Powers in respect of burial and burning places.

101. (*1*) The committee may, by public notice, order any burial or burning ground which is, in its opinion, dangerous to the health of persons living in the neighbourhood to be closed from a date to be specified in the notice, and shall, in such case, if no suitable place for burial or burning exists within a reasonable distance, provide a fitting place for the purpose.

(*2*) Private burial-places in such burial-grounds may be excepted from the notice, subject to such conditions as the committee may impose in this behalf:

Provided that the limits of such burial-places are sufficiently defined, and that they shall only be used for the burial of members of the family of the owners thereof.

(*3*) No burial or burning ground, whether public or private, shall be made or formed, after the commencement of this Act, without the permission in writing of the committee.

(*4*) Should any person bury or burn, or cause or permit to be buried or burnt, any corpse in any burial or burning ground made or formed contrary to the provisions of this section, or after the date fixed thereunder for closing the same, he shall be punishable with fine which may extend to fifty rupees.

Removal of corpses.

102. The committee may, by public notice, prescribe routes for the removal of corpses to burial or burning places.

Inflammable Materials.

Inflammable materials.

103. The committee may, where it appears to it to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting wood, dry grass, straw or other inflammable materials, or placing mats or thatched huts or lighting fires in any place or within any limits specified in the notice.

Prohibitions for prevention of fire.

104. In any municipality to which section 93 has been specially extended by the Local Government, the committee may by bye-law prohibit the lighting of fires in the top storey of any building which by reason of its contiguity to other buildings might be a source of danger to the latter in the event of a fire breaking out within it, and the walls of which storey do not exceed seven feet in height, or the placing of stands for lamps and candles in any position which the committee may deem to be dangerous to the public safety.

Prohibition of excessive storage of petroleum.

105. The committee may by bye-law prohibit the storage of more than a fixed maximum quantity of any explosive, petroleum, spirit, naphtha or other inflammable material in any building not registered or licensed under section 135.

Powers of Entry and Inspection.

Inspection of drains, privies and cesspools.

106. (*1*) The committee, by any person authorized by it in this behalf, may, between sunrise and sunset, enter into any building or upon any land, and inspect any drains, privies or cesspools therein or thereon, and may cause the ground to be opened where such person as aforesaid may think fit for the purpose of preventing or removing any nuisance arising from the drains, privies or cesspools.

(*2*) If, on such inspection, it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner or occupier of the land or building; but if it be found that no nuisance exists or, but for such opening, would have arisen, the ground or portion of any building, drain or other work, if any, opened, injured or removed for the purpose of such inspection shall be filled in, reinstated and made good by the committee.

(*3*) No building other than a latrine shall be entered under this section until six hours' notice in writing has been given to the occupier of the building by the committee or by the person authorised by the committee to make the entry.

Power to enter and inspect buildings.

107. (*1*) The committee, by any person authorized by it in this behalf, may, after giving twenty-four hours' notice to the occupier, or, if there be no occupier, to the owner, of any building, at any time between sunrise and sunset enter and inspect the building, and

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may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

(2) If the building to be inspected is a stable for horses or a house or shed for cows or other cattle, previous notice shall not be requisite before inspection.

Other powers of entry on buildings or land.

108. The committee, by any person authorised by it in this behalf, after giving twenty-four hours' notice to the occupier, or, if there be no occupier, to the owner, of any building or land, may at any time between sunrise and sunset—

(a) enter on and survey and take levels of any land;
(b) enter, inspect and measure any building for the purpose of valuation;
(c) enter into any building or on any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains or of executing or repairing any work which it is by this Act empowered to execute or maintain.

Power to enter for discovery of vehicles or animals liable to taxation.

109. The committee, by any person authorised by it in this behalf, may, at any time between sunrise and sunset, enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Act for which a license has not been duly taken out.

Power to inspect places for sale of food or drink, &c., and to seize unwholesome articles exposed for sale.

110. The committee, by any person authorised by it in this behalf, may at all reasonable times enter into and inspect any market, building, shop, stall or place used for the sale of food or drink for man, or as a slaughter-house, or for the sale of drugs, and inspect and examine any food or drink, animal or drug which may be therein; and, if any article of food or drink or any animal therein appears to be intended for the consumption of man and to be unfit therefor, may seize and remove the same, or may cause it to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for such consumption;

and, in case it is reasonably suspected that any drug is adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious, may remove the same, giving a receipt therefor, and may cause the owner thereof to be brought before a Magistrate for enquiry whether any offence has been committed in respect thereof, and for orders as to the disposal of the said drug.

House-scavenging.

Definition of house-scavenging.

111. The removal of filth, rubbish, ordure or other offensive matter from a privy, cesspool or other common receptacle for such matter in or pertaining to a house or building is called house-scavenging.

Undertaking by committee of house-scavenging generally.

112. (1) Subject to the provisions hereinafter contained with respect to the customary rights of

may at any time undertake the house-scav[enging] ing of any house or building on the applic[ation] or with the consent of the occupier.

(2) The committee may, by public no[tice] undertake the house-scavenging of any ho[use] or buildings in the municipality from any d[ate] not less than two months after issue of t[he] notice.

(3) The occupier of any house or buil[ding] affected by the notice may at any time after t[he] issue thereof apply to the committee to exc[lude] that house or building from the notice.

(4) The committee shall consider and p[ass] orders upon every such application within [...] weeks of the receipt thereof, and may by a[n] such order exclude such house or building f[rom] the notice.

(5) In deciding whether to exclude any ho[use] or building from the notice, the committee sh[all] consider, among other matters, the efficiency [of] the arrangements for house-scavenging ma[de] by the occupier (if any) and the purpo[se to] which he applies the matter dealt with in h[ouse]-scavenging.

Savings in favour of customary sweepers and of agriculturists.

113. Notwithstanding anything in the [...] foregoing section, the com[mittee] shall not, except i[n] accordance with the pro[vi]sions of this Chapter,—

(a) undertake the house-scavenging of a[ny] house or building in respect wh[ich] any sweeper has a customary right [to] do such house-scavenging;
(b) without the consent of the occup[ier] undertake the house-scavenging of a[ny] house or building occupied by an ag[ri]culturist who himself cultivates la[nd] within municipal limits or in a villa[ge] conterminous therewith.

Continuance of house-scavenging once undertaken by committee.

114. When once the committee has und[er]taken the house-scaven[g]ing of any house or buil[d]ing under this Chapter, [it] may continue to perform such house-scaveng[ing] with or without the consent of the occupier f[or] the time being of such house or building.

Obligation of committee to perform house-scavenging properly.

115. When the committee has undertake[n] the house-scavenging [of] any house or building, [it] shall be bound to perfo[rm] the same properly until [it] shall have relieved itself of the obligation by a[n] order under section 112, sub-section (4).

Powers of municipal servants for house-scavenging purposes.

116. The servants of the committee employ[ed] in house-scavenging ma[y] at all reasonable times d[o] all things necessary for th[e] proper performance of an[y] house-scavenging undertaken by the com[mittee].

Vesting in committee of collections from house-scavenging.

117. All matter removed by the servants o[f] the committee in the course of house-scavenging shal[l] belong to the committee.

Punishment of customary sweepers for negligence.

118. (1) Should a sweeper who has a custom[ary] right to do the house-scavenging of a house or building (hereinafter called [...]

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house-scavenging in a proper way and at reasonable intervals, the occupier of the house or building or the committee may complain to a Magistrate.

(*2*) The Magistrate receiving such complaint shall hold an enquiry, and, should it appear to him that the customary sweeper has failed to perform the house-scavenging of the house or building in a proper way or at reasonable intervals, he may impose upon such sweeper a fine which may extend to ten rupees, and, upon a second or any later conviction in regard to the same house or building, may also direct the right of the customary sweeper to do the house-scavenging of the house or building to be forfeited, and thereupon such right shall be forfeited accordingly.

Punishment of agriculturists for negligence.

119. (*1*) Should an agriculturist who himself cultivates land within municipal limits or in a village conterminous therewith fail to provide for the proper house-scavenging of any house or building occupied by him, the committee may complain to a Magistrate.

(*2*) The Magistrate receiving the complaint shall hold an enquiry, and, should it appear to him that the agriculturist has not provided for the proper house-scavenging of the house or building, he may pass an order empowering the committee to undertake the same, and thereupon the committee shall be entitled to undertake such house-scavenging.

Search for inflammable or explosive material in excess of authorized quantity.

Search for inflammable or explosive material in excess of authorised quantity.

120. (*1*) The committee may at any reasonable time, by any person authorised by it in writing in this behalf, enter upon and inspect any house or building which is suspected to contain petroleum, explosive or other inflammable material in excess of the quantity permitted to be kept in such house or building under the provisions of this Act or of any rule, bye-law or public notice made or published thereunder.

(*2*) Should any such excess quantity of such material be discovered, it may be seized and held subject to such order as a Magistrate may pass with respect to it.

(*3*) If the Magistrate decide that the material seized was stored in the house or building contrary to the provisions of this Act or of any rule, bye-law or public notice made or published thereunder, he shall pass an order confiscating the same.

(*4*) Subject to any general rules for the time being applicable thereto, the material so confiscated may be sold by order of the Magistrate, and the proceeds, after defraying the expenses of such sale, shall be credited to the municipal fund.

(*5*) No order of confiscation under this section shall operate to prevent any other criminal or civil proceedings to which the person storing the material in excessive quantity may be liable.

Water-pipes, Privies and Drains.

Troughs and pipes for rain-water.

121. The committee may, by notice, require the owner of any building or land in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the building or land and for discharging the same so as not to inconvenience persons passing along the street.

Provision of drains, privies, &c.

122. (*1*) The committee may, by notice, require the owner of any building or land to remove or provide any drain, privy, cesspool or other receptacle for filth, or provide any additional drains, privies, cesspools or other receptacles as aforesaid which should in its opinion be provided for the building or land, in such manner as the committee may direct, or to make to the reasonable satisfaction of the committee and maintain in good order a drainage connection with any public sewer or drain not situated more than one hundred feet from such building or land as aforesaid :

Provided that the said owner shall not be liable for any default in making or maintaining such drainage connection if the land through which the said drainage connection is required to pass does not belong to him, and he can prove that the default is caused by the act of the owner or occupier of such last-mentioned land.

(*2*) The committee may, by notice, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleaned.

(*3*) The committee may, by notice, require the owner or occupier of any building or land to have any privy provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or to remove or alter, as the committee may direct, any door or trapdoor of a privy opening on to any street or drain.

Repair and closing of drains, privies and cesspools.

123. (*1*) The committee may, by notice, require the owner or occupier of any building or land to repair, alter or put in good order any drain, privy or cesspool, or to close any drain, privy or cesspool belonging thereto.

(*2*) The committee may, by notice, require any person who may construct any new drain, privy or cesspool without its permission in writing or contrary to its directions or regulations or to the provisions of this Act, or who may construct, rebuild or open any drain, privy or cesspool which it has ordered to be demolished or stopped up or not to be made, to demolish the drain, privy or cesspool, or to make such alteration therein as it may think fit.

Unauthorized buildings over drains, &c.

124. The committee may, by notice, require any person who without its permission in writing may newly erect or rebuild any building over any sewer, drain, culvert, water-course or water-pipe vested in the committee to pull down or otherwise deal with the same as it may think fit.

Removal of latrines, &c., near any source of water-supply.

125. The committee may, by notice, require any owner or occupier on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty

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feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, to remove or close the same within one week from the service of such notice.

Power to require removal of nuisance arising from tanks and the like.

126. The committee may, by notice, require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private well, tank, reservoir, pool, depression or excavation therein which may appear to the committee to be injurious to health or offensive to the neighbourhood :

Provided that, if for the purpose of effecting any drainage under this section it should be necessary to acquire any land not belonging to the same owner or to pay compensation to any person, the committee shall provide such land or pay such compensation.

Dangerous Buildings and Places.

Power to require buildings, wells, tanks, &c., to be secured.

127. Should any building, or any well, tank, reservoir, pool, depression or excavation be, for want of sufficient repair, protection or enclosure, dangerous to persons passing by or dwelling or working in the neighbourhood, the committee may, by notice, require the owner or occupier thereof to repair, protect or enclose the same ; and, should it appear to it to be necessary in order to prevent imminent danger, it shall forthwith take such steps to avert the danger as may be necessary.

Building, &c., in ruinous or dangerous state.

128. Should any building, wall or structure or anything affixed thereto, or any bank or tree, be deemed by the committee to be in a ruinous state or in any way dangerous, it may, by notice, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to the building, wall, structure or bank as the committee may consider necessary for the public safety; and, should it appear to it to be necessary in order to prevent imminent danger, the committee shall forthwith take such steps to avert the danger as may be necessary.

Buildings and Grounds in Unsanitary Condition.

Power to require owner to clear away noxious vegetation.

129. The committee may, by notice, require the owner or occupier of any land to clear away and remove any thick vegetation or undergrowth which may appear to the committee to be injurious to health or offensive to the neighbourhood.

Power to require hedges and trees to be trimmed.

130. The committee may, by notice, require the owner or occupier of any land to cut or trim within three days the hedges growing thereon and bordering on any street, or any branches of trees growing thereon which overhang any street and obstruct the same or cause danger thereto, or which so overhang any well, tank or other source from which water is derived for public use as to be likely to pollute the water thereof.

Cleansing of filthy

131. Should the owner or occupier of any building or land suffer the same

mittee may, by notice, require him within [twen]ty-four hours to cleanse the same or other[wise] put it in a proper state.

Power to prohibit use for human habitation of buildings unfit for such use.

132. Should any building, or any part of [a] building, appear to [the] committee to be unfit [for] human habitation in [con]sequence of the want [of] proper means of drainage or ventilation or other sufficient reason, [the] committee may, by notice, prohibit the owner [or] occupier thereof from using the same for human habitation, or suffering it to be so used, until [it] has been rendered fit for such use to the reason[]able satisfaction of the committee.

Power to require untenanted buildings becoming a nuisance to be secured or enclosed.

133. The committee may, by notice, re[quire] the owner or part-owner or person claiming to be [the] owner or part-owner, of [any] building or land which [by] reason of abandonment, disputed ownership or other cause, has re[]mained untenanted and become a resort [of idle] and disorderly persons or otherwise a nuisance, to secure or enclose the same within a rea[son]able time fixed in the notice.

Cultivation, use of manure or irrigation, injurious to health, after prohibition.

134. (1) The Local Government may, on [the] report of the Sa[nitary] Commissioner or [the] Civil Surgeon th[at the] cultivation of any des[crip]tion of crop or the use of any kind of manure [or] the irrigation of land in any specified manner in any place within the limits of any muni[ci]pality is injurious to the health of persons [dwell]ing in the neighbourhood, by notification [pro]hibit the cultivation of such crop, the use of [such] manure or the use of the method of irrigation reported to be injurious, or impose such con[di]tions with respect thereto as may prevent injury :

Provided that, when on any land to which [the] notification applies the act prohibited has [been] practised during the five years next pre[ceding] the notification in the ordinary course of hus[]bandry, compensation shall be paid from [the] municipal fund to all persons interested [in the land] for any damage caused to them by the effect [of] such notification.

(2) Should any person disobey any [notifi]cation issued under sub-section (1), he [shall] be punishable with fine which may extend [to] fifty rupees, and with a further fine which may extend to five rupees for every day after the first during which the offence is continued.

Offensive and Dangerous Trades.

Regulation of offensive and dangerous trades.

135. (1) The owner or occupier of every place within the muni[ci]pality used for any of [the] following purposes, name[]ly :—

melting tallow ;

boiling bones, offal or blood ;

as a soap-house, oil-boiling house, dye[ing-]house or tannery ;

as a brickkiln, pottery or limekiln ;

as any other manufactory or place of business

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as a yard or depôt for trade in hay, straw, thatching-grass, wood or coal, or other dangerously inflammable material;

as a store-house for any explosive, or for petroleum or any inflammable oil or spirit,

shall register the same in a book to be kept by the committee for the purpose.

(*2*) No place shall be newly used for any of the said purposes except under a license from the committee, which shall be renewable annually.

(*3*) The license shall not be withheld unless the committee consider that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in, or frequenting, the immediate neighbourhood.

(*4*) The committee may charge fees according to a scale to be approved by the Commissioner for such licenses, and may impose such conditions in respect thereof as it may think necessary.

(*5*) Whoever, without such registration and without a license, uses any such place for any such purpose as aforesaid shall be punishable with fine which may extend to fifty rupees, and with a further fine not exceeding ten rupees for every day during which the offence is continued after he has been convicted of such offence.

(*6*) The owner or occupier of any place registered under sub-section (*1*) may apply to have that place licensed under this section. When any such place has been licensed, the registration of that place shall thereby be cancelled, and shall not be renewed.

Power to prohibit such trades.

136. (*1*) Whenever it is shown to the satisfaction of the committee that any place registered or licensed under the last preceding section is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, the committee may, by notice, require the occupier thereof to discontinue the use of such place, or to use it in such manner as will, in the opinion of the committee, render it no longer a nuisance or dangerous.

(*2*) Whoever, after any such notice has been given, uses such place or permits it to be used in such a manner as to be a nuisance to the neighbourhood or dangerous, shall be punishable with fine which may extend to two hundred rupees, and with a further fine not exceeding forty rupees for every day during which the offence is continued after he has been convicted of such offence.

Regulation of manufacture, preparation and sale of food and drink.

Power for committee to regulate manufacture, preparation and sale of food and drink.

137. (*1*) The committee may by bye-law—

(*a*) prohibit the manufacture or preparation for sale of any specified articles of food or drink in any premises not licensed by the committee;

(*b*) regulate the grant and withdrawal of licenses to premises for the manufacture or preparation for sale of such specified articles of food or drink;

(*c*) regulate the hours and manner of transport within the municipality of any specified articles of food or drink;

(*d*) fix the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale;

Provided that no person shall be punishable for breach of any bye-law made under clause (*a*) or clause (*d*) of this sub-section by reason of the continuance of such manufacture, preparation or exposure for sale, or sale upon any premises which are at the time of the making of such bye-law used for such purpose until he has received from the committee six months' notice in writing to discontinue such manufacture, preparation or exposure for sale, or such sale, in such premises.

(*2*) This section shall not take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee.

Dangerous Animals.

Destruction of mad dogs.

138. (*1*) A committee, by any person authorized by it in this behalf, may destroy or cause to be destroyed, or confine or cause to be confined for such period as the committee may direct, any dog suffering from rabies or reasonably suspected to be suffering from rabies.

(*2*) No damages shall be payable in respect of any dog destroyed under this section.

Restraint of Infection.

Information to be given of cholera or small-pox.

139. Whoever—

(*a*) being a medical practitioner or a person openly and constantly practising the medical profession, and in the course of such practice becoming cognizant of the existence of cholera or small-pox in any dwelling other than a public hospital, or, in default of such medical practitioner or person practising the medical profession,

(*b*) being the owner or occupier of such dwelling, and being cognizant of the existence of cholera or small-pox therein, or, in default of such owner or occupier,

(*c*) being the person in charge of or in attendance on any person suffering from cholera or small-pox in such dwelling, and being cognizant of the existence of the disease therein,

fails to give information or gives false information to the committee, respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees:

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be punishable if it be shown that he had reasonable cause to suppose that the information had been or would be duly given.

Removal to hospital of cholera and small-pox patients.

140. When any person suffering from cholera or small-pox is—

(*a*) without proper lodging or accommodation, or

(*b*) living in a sarai or other public hostel, or

(*c*) living in a room or house which he neither owns nor pays rent for, or

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(*d*) lodged in premises occupied by members of two or more families, and any of such occupiers objects to his continuing to lodge in such premises,

the committee, by any person authorised by it in this behalf, may, on the advice of any medical officer of rank not inferior to that of an Assistant Surgeon, remove the patient to any hospital or place at which persons suffering from such disease are received for medical treatment, and may do anything necessary for such removal.

Prohibition by committee of use of unwholesome water.

141. Should the committee consider that the water in any well, tank or other place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, it may by public notice prohibit the removal or use of such water for drinking.

Application of the two last foregoing sections.

142. Neither of the last two foregoing sections shall take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee.

Power to make Bye-laws.

Power to make bye-laws.

143. (*1*) Any committee may by bye-law—

(*a*) render licenses necessary for the proprietors or drivers of vehicles, boats or animals kept or plying for hire within the limits of the municipality, and fix the fees payable for such licenses and the conditions on which they are to be granted and may be revoked;

(*b*) limit the rates which may be demanded for the hire of any carriage, cart, boat or other conveyance, or of animals hired to carry loads, or for the services of persons hired to carry loads, and the loads to be carried by such conveyances, animals or persons when hired within the municipality for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours:

(*c*) provide for the proper registration of births, marriages and deaths and for the taking of a census;

(*d*) fix, and from time to time vary, the number of persons who may occupy a building or part of a building which is let in lodgings or occupied by members of more than one family; and provide—

(*i*) for the registration and inspection of such buildings;

(*ii*) for promoting cleanliness and ventilation in such buildings;

(*iii*) for the notices to be given and the precautions to be taken in the case of any infectious disease breaking out in such buildings; and

(*iv*) generally for the proper regulation of such buildings;

(*e*) provide—

(*i*) for the inspection and proper regulation of encamping-grounds, pounds, sarais, markets, dhobis' ghâts, flour-mills and slaugh-

(*ii*) for the holding of fairs and industrial exhibitions within the municipality or under the control of the committee, and for fixing fees to be levied thereat;

(*iii*) for controlling and regulating the use and management of burial and burning grounds;

(*iv*) for the supervision and regulation of public wells, tanks, springs or other sources from which water is or may be made available for public use;

(*f*) where the collection of an octroi has been sanctioned, fix octroi-limits for the purpose of collecting the same;

(*g*) regulate the exhibition of tables of octroi, the system under which refunds are to be made on account thereof when the animals or goods on which the octroi has been paid are again exported, and the custody or storage of animals or goods declared not to be intended for sale or consumption within the municipality into which they are brought;

(*h*) require and regulate—

(*i*) the exhibition of tables showing the rates of tolls chargeable on vehicles and animals entering the municipality;

(*ii*) the appointment by owners of buildings or lands in the municipality, who are not resident in the municipality, of persons residing within or near the municipality to act as their agents for all or any of the purposes of this Act or any rule thereunder;

(*j*) regulate the assessment and collection of any tax imposed under this Act and the fees payable in respect of notices of demand;

(*k*) in any municipality where a reasonable number of slaughter-houses has been provided or licensed by the committee, control and regulate the admission within the municipal limits for the purpose of sale of the flesh (other than cured or preserved meat) of any cattle, sheep, goat or swine slaughtered at any slaughter-house or place not maintained or licensed under this Act; and

(*l*) generally provide for carrying out the purposes of this Act:

Provided that no bye-law made under clause (*a*) or clause (*b*) by the committee of a municipality in which the Hackney Carriage Act, 1879, is in force shall apply to any vehicle to which that Act applies.

(*2*) Bye-laws under clause (*g*) may, among other matters, provide a period of limitation after which no claim for refund of octroi shall be entertained, and also that no such refund shall be made when the amount thereof would be less than one rupee.

(*3*) When a cantonment authority, with the sanction of the Governor General in Council, has agreed with the committee of an adjoining municipality that the same octroi-limits shall be established for the cantonment

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the cantonment fund and the municipal fund, the committee may fix limits under clause (*f*) of sub-section (*1*) so as to include so much both of the cantonment and of the municipal area as it may deem necessary, and shall have the same powers of collecting octroi on animals or goods brought within such limits, and the provisions of this Act relating to octroi shall apply in the same way as if the said limits were wholly comprised in the area of the municipality.

Additional power to make bye-laws in hill municipalities.

144. The committee of a municipality wholly or in part situated in a hilly tract may further make bye-laws—

(*a*) for regulating or prohibiting the cutting or destroying of trees or shrubs, or the making of excavations or removal of soil or quarrying, where such regulation or prohibition appears to the committee to be necessary for the maintenance of a water-supply, the preservation of the soil, the prevention of land-slips or of the formation of ravines or torrents, or the protection of land against erosion or the deposit thereon of sand, gravel or stones;

(*b*) for the regulation or prohibition of any description of traffic in the streets where such regulation or prohibition appears to the committee to be necessary for the prevention of danger or grave inconvenience to the public;

(*c*) for rendering licenses necessary for using premises within bazars as stables or cow-houses;

(*d*) for rendering licenses necessary within the municipality—

(*i*) for persons working as job porters for the conveyance of goods,

(*ii*) for animals or carriages let out on hire for a day or part thereof, and

(*iii*) for persons impelling or carrying such carriages;

(*e*) for fixing the fees payable for such licenses as are referred to in this section, and the conditions on which such licenses are to be granted and may be revoked; and

(*f*) for regulating the charges to be made for the services of such job porters as aforesaid, and for the hire of such animals or carriages, and for the remuneration of persons who impel or carry such carriages.

Penalty for infringement of bye-law.

145. (*1*) In making any bye-law under any section of this Chapter, the committee may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.

(*2*) In lieu of or in addition to such fine, the Magistrate may require the offender to remedy the mischief so far as within his power.

Confirmation of bye-law.

146. (*1*) No bye-law made under any section of this Chapter shall come into force until it has been confirmed by the Local Government and published for such time and in such manner as the Local Government may prescribe in this behalf.

(*2*) The Local Government may cancel its confirmation of any such bye-law, and thereupon the bye-law shall cease to have effect.

Supplemental.

Execution of acts required to be done by any notice.

147. (*1*) When any notice under this Chapter requires any act to be done for which no time is fixed by this Act, it shall fix a reasonable time for doing the same.

(*2*) Whenever it is provided by this Act that any such notice may be given to the owner or occupier of any land or building, and the owner and occupier are different persons, such notice shall be given to the one of them primarily liable to comply with such notice, and in case of doubt to both of them:

Provided that in any such case, where there is no owner resident within the municipality, the delivery of such notice to the occupier shall be sufficient.

(*3*) Whenever the terms of any such notice have not been complied with, the committee may, after six hours' notice by its officers, cause the act to be done.

Recovery of costs of execution.

148. (*1*) Where under this Act the owner or occupier of property is required by the committee to execute any work and default has been made in complying with the requirement, and the committee has executed the work, the committee may recover the cost of the work from the person in default.

(*2*) As between themselves and the committee both owner and occupier shall be deemed to be in default for the purposes of this section, but that one of them shall be deemed to be primarily in default upon whom as between landlord and tenant the duty of doing the required act would properly fall either in pursuance of the contract of tenancy or by law.

(*3*) When the person primarily in default is the owner, and the committee has recovered the whole or any part of the cost from the occupier, or he has paid the same upon its demand, he may deduct the sum so recovered or paid from the rent from time to time becoming due from him to the owner, or otherwise recover it from such owner.

(*4*) Provided that no occupier shall be required to pay under sub-section (*3*) any sum greater than the amount for the time being due from him to the owner either in respect of rent due at the date of such demand as aforesaid or thereafter accruing unless he has refused on application to him by the committee truly to disclose the amount of his rent and the name and address of the person to whom it is payable; but the burden of proof that the sum so demanded by the committee from the occupier exceeds the rent due at the time of the demand, or which has since accrued due, shall lie on the occupier.

(*5*) All money recoverable by a committee under this section may be recovered either by suit or on application to a Magistrate having jurisdiction within the municipality by distress

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(Chapter VI.—Powers for Sanitary and other Purposes.—Sections 149-151. Chapter VII.—Offences affecting the Public Health, Safety or Convenience.—Sections 152-157.)

and sale of the moveable property of the person from whom the money is recoverable, and if payable by the owner of the property shall, until it is paid, be a charge on the property.

(*6*) Nothing in this section shall affect any contract between an owner and an occupier.

Compensation out of municipal fund.

149. (*1*) The committee may make compensation out of the municipal fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the committee, its officers and servants under this Act, and shall make such compensation where the person sustaining the damage was not himself in default in the matter in respect of which the power was exercised.

(*2*) Should any dispute arise touching the amount of any compensation which the committee is required by this Act to pay for injury to any building or land, it shall be settled in such manner as the parties may agree, or, in default of agreement, in the manner provided by the Land Acquisition Act, 1870, with reference to the acquisition of and payment of compensation for land for public purposes so far as it can be made applicable.

X of 1870.

Appeals from orders of committee.

150. (*1*) Any person aggrieved—

(*a*) by the prohibition by a committee under section 92 of the erection or re-erection of a building, or

(*b*) by a notice from a committee under sub-section (*4*) of section 92 or sub-section (*2*) of section 93 requiring the alteration or demolition of a building, or

(*c*) by any order made by a committee under the powers conferred upon it by section 101, 132 or 136,

may appeal within thirty days from the date of such prohibition, notice or order to such officer as the Local Government may appoint for the purpose of hearing such appeals or any of them, or, failing such appointment, to the Commissioner in the case of a committee of a first class municipality, or to the Deputy Commissioner in the case of a committee of a second class municipality; and no such prohibition, notice or order shall be liable to be called in question otherwise than by such appeal:

Provided that if, in the latter case, the Deputy Commissioner or such other officer as aforesaid be himself a member of the committee, the appeal shall lie to the Commissioner.

(*2*) The appellate authority may, if it shall think fit, extend the period allowed by sub-section (*1*) for appeal.

(*3*) The order of the appellate authority confirming, setting aside or modifying the prohibition, notice or order appealed from shall be final:

Provided that the prohibition, notice or order shall not be modified or set aside until the appellant and the committee have had reasonable opportunity of being heard.

Appeals from certain orders.

151. Every order of forfeiture under section 118 and every order under section 119 or section 120 shall be subject to appeal to the

CHAPTER VII.

OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

Depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.

152. Whoever, without the permission of the committee or in disregard of its orders, throws, deposits, or permits servants or members of household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind, upon any street or place, or into any public sewer or drain or any drain communicating therewith, shall be punishable with fine which may extend to ten rupees.

Discharging sewage.

153. Whoever, without the permission of the committee, causes or knowingly or negligently allows the water of any sink, sewer or cesspool, or any other offensive matter, to flow, drain or be put upon any street or place, or into any sewer or drain not set apart for the purpose, shall be punishable with fine which may extend to twenty rupees.

Failure to remove offensive matter.

154. Whoever, being the owner or occupier of any building or land, keeps or knowingly or negligently allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive matter in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall be punishable with fine which may extend to fifty rupees.

Making or altering drains without authority.

155. Whoever, without the permission of the committee, makes or causes to be made, or alters or causes to be altered, any drain leading into any of the sewers or drains vested in the committee, shall be punishable with fine which may extend to fifty rupees.

Penalty for making or keeping latrines, &c., near any source of water-supply.

156. Whoever, without the permission of the committee, makes or keeps for a longer time than one week after notice under section 125 any drain, latrine, urinal, cesspool or other receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use shall be punishable with fine which may extend to twenty rupees, and, when a notice has issued, with a further fine not exceeding five rupees for each day during which the offence is continued after the lapse of the period allowed for removal.

Keeping animals so as to be injurious to health.

157. Whoever keeps any swine in disregard of any orders which the committee may give to prevent them from becoming a nuisance, or keeps any other animal so as to be injurious to the health

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(Chapter VII.—Offences affecting the Public Health, Safety or Convenience.—Sections 158-171. Chapter VIII.—Extinction and Prevention of Fire.—Section 172.)

with a further fine which may extend to five rupees for every day after the first during which the offence is continued.

Feeding animals on deleterious substances.

158. Whoever feeds, or allows to be fed, any animal which is kept for dairy purposes, or may be used for food on deleterious substances, filth or refuse of any kind, shall be punishable with fine which may extend to fifty rupees.

Driving vehicles without proper lights.

159. Whoever drives any vehicle after dark in any street at more than a walking pace, unless the vehicle is properly supplied with lights or there is sufficient moonlight to render lights unnecessary, shall be punishable with fine which may extend to twenty rupees.

Discharging fire-arms, &c.

160. Whoever discharges fire-arms or lets off fire-works or fire-balloons, or engages in any game, in such a manner as to cause, or be likely to cause, danger to persons passing by or dwelling or working in the neighbourhood, or risk of injury to property, shall be punishable with fine which may extend to twenty rupees.

Control of elephants or camels.

161. Whoever, being in charge of any elephant, camel or bear, omits on being requested to do so to remove as far as may be practicable his elephant, camel or bear to a safe distance on the approach of a horse, whether ridden or driven, shall be punishable with fine which may extend to twenty rupees.

Taking elephants along public roads.

162. Whoever, contrary to any orders of the committee, takes an elephant along a street shall be punishable with fine which may extend to twenty rupees.

Suffering dogs to be at large.

163. Whoever, being the owner or person in charge of any dog which is likely to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street shall be punishable with fine which may extend to twenty rupees.

Altering, obstructing or encroaching upon streets.

164. Whoever, without the permission of the committee, alters, obstructs or encroaches upon any street, sewer, drain or water-course, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street, or deposits building-materials or makes any hole or excavation on or in any street, or removes material from beneath any street so as to occasion risk of surface subsidence, shall be punishable with fine which may extend to fifty rupees.

Quarrying, blasting, cutting timber or building.

165. Whoever quarries, blasts, cuts timber or carries on building-operations in such a manner as to cause, or be likely to cause, danger to persons passing by or dwelling or working in the neighbourhood shall be punishable with fine which may extend to fifty rupees.

Picketing animals and collecting carts.

166. Whoever, contrary to the orders of the committee, pickets animals or collects carts on any public ground, or uses any such ground as a halting-place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray, shall be punishable with fine which may extend to twenty rupees.

Carrying corpses by prohibited routes or so as to cause annoyance.

167. Whoever carries a corpse along a route prohibited by the committee, or in a manner likely to cause annoyance to the public, shall be punishable with fine which may extend to ten rupees.

Destroying direction-posts, lamp-posts, &c.

168. Whoever, without being authorised by the committee, defaces or disturbs any direction-post or lamp-post, or extinguishes any light in any public place, shall be punishable with fine which may extend to ten rupees.

Penalty for disobedience of orders of committee under last Chapter.

169. Whoever disobeys any lawful direction given by the committee by public notice under the powers conferred upon it by the last foregoing Chapter, or any written notice lawfully issued by it under the powers so conferred, or fails to comply with the conditions subject to which any permission was given by the committee to him under those powers, shall, if the disobedience or omission is not an offence punishable under any other section, be punishable with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues:

Provided that, when the notice fixes a time within which a certain act is to be done and no time is specified in this Act, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Act.

Prosecution to be suspended in certain cases.

170. When any order of the kind specified in section 101, section 136 and section 169 is subject to appeal, and an appeal has been instituted against it, all proceedings to enforce such order and all prosecutions for any breach thereof shall be suspended pending the decision of the appeal, and, if such order is set aside on appeal, disobedience thereto shall not be deemed to be an offence.

Disposal of certain imports seized under any bye-law made under section 143.

171. Should the flesh of any cattle, sheep, goat or swine be brought within municipal limits in contravention of any bye-law made under section 143, it may be seized by any officer of the committee authorised in that behalf, and may be destroyed or otherwise disposed of as the committee may direct.

CHAPTER VIII.

EXTINCTION AND PREVENTION OF FIRE.

Establishment and maintenance of fire-brigade.

172. For the prevention and extinction of fire the committee may establish and maintain a fire-brigade, and may provide any implements, machinery or means of

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(Chapter VIII.—Extinction and Prevention of Fire.—Sections 173-175. Chapter IX.—Control.—Sections 176-179.)

communicating intelligence which the committee may think necessary for the efficient discharge of their duties by the brigade.

Power of fire-brigade and other persons for suppression of fires.

173. (*1*) On the occasion of a fire in a municipality, any Magistrate, the secretary of the committee, any member of committee, any member of a fire-brigade maintained by the committee then and there directing the operations of men belonging to the brigade, and (if directed so to do by a Magistrate, or the secretary or a member of committee) any Police-officer above the rank of constable, may—

(*a*) remove or order the removal of any person who by his presence interferes with or impedes the operations for extinguishing the fire or for saving life or property;

(*b*) close any street or passage in or near which any fire is burning;

(*c*) for the purpose of extinguishing the fire break into or through or pull down, or cause to be broken into or through or pulled down, or used for the passage of hoses or other appliances, any premises;

(*d*) cause mains and pipes to be shut off so as to give greater pressure of water in or near the place where the fire has occurred;

(*e*) call on the persons in charge of any fire-engine to render such assistance as may be possible; and

(*f*) generally take such measures as may appear necessary for the preservation of life or property.

(*2*) No person shall be liable to pay damages for any act done by him under sub-section (*1*) in good faith.

(*3*) Any damage done in the exercise of a power conferred or a duty imposed by this section shall be deemed to be damage by fire within the meaning of any policy of insurance against fire.

Power for Local Government to make rules under this Chapter.

174. The powers conferred by the last foregoing section shall be subject to any regulations, conditions or restrictions which may be imposed by rule.

Limitation of operation of Chapter.

175. No portion of this Chapter shall take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee.

CHAPTER IX.

CONTROL.

Control by Commissioner and Deputy Commissioner.

176. (*1*) The Commissioner of the division or the Deputy Commissioner of the district may—

(*a*) enter on, inspect and survey, or cause to be entered on, inspected and surveyed, any immoveable property within the limits of the division or district respectively occupied by any committee or joint committee, or any work in pro-

(*b*) by order in writing call for and insp[ect] any book or document in the posse[ssion] or under the control of any committee [or] joint committee having authority wi[thin] the said limits;

(*c*) by order in writing require any such com[-] mittee or joint committee to furn[ish] such statements, accounts, reports [or] copies of documents relating to the pro[-] ceedings or duties of the committee [as] he may think fit to call for; and

(*d*) record in writing, for the consideration [of] any such committee or joint commi[ttee] any observations he may think prop[er in] regard to the proceedings or duties [of] the committee.

(*2*) Every committee shall submit such perio[di-] cal reports to the Deputy Commissioner or [other] authority as the Local Government may dire[ct].

Power to suspend action of committee.

177. The Commissioner or Deputy Com[-] missioner may, by order in writing, suspend in the division or dis[-] trict respectively, the execution of any re[-] solution or order of a committee or [joint] committee, or prohibit the doing of any [act] within the said limits which is about to [be] done, or is being done, in pursuance of or un[der] cover of this Act, if, in his opinion, the resolu[-] tion, order or act is in excess of the powers conferred by law, or the execution of the resolu[-] tion or order, or the doing of the act, is lik[ely] to lead to a breach of the peace, or to c[ause] injury or annoyance to the public or to [any] class or body of persons.

Extraordinary powers of Deputy Commissioner in case of emergency.

178. (*1*) In cases of emergency the Dep[uty] Commissioner may pro[vide] for the execution of [any] work, or the doing of [any] act, which a committee [is] empowered to execute or do, and the imme[-] diate execution or doing of which is, in h[is] opinion, necessary for the service or safety [of] the public, and may direct that the expense [of] executing the work or of doing the act sh[all] be forthwith paid by the committee.

(*2*) Should the expense be not so paid, [the] Deputy Commissioner may make an order dire[ct-] ing the person having the custody of the bal[ance] of the municipal fund to pay the expense, or [so] much thereof as may from time to time be po[s-] sible, from that balance, in priority to all other charges against the same.

Power to provide for performance of duties in case of default of committee.

179. (*1*) When the Commissioner, after [due] enquiry, is satisfied that a committee of the first class has made default in per[-] forming any duty imposed upon it under this Act, he may, by an order in writing, fix a period for the performance of that duty; and, should it not be performed within the period so fixed, he may appoint some per[-] son to perform it, and may direct that the ex[-] pense thereof shall be paid within such time as he may fix by the committee.

(*2*) Should the expense be not so paid, the Commissioner may make an order directing the person having the custody of the balance of the municipal fund to pay the expense, or so much [thereof as may] from time to time be possible

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(Chapter IX.—Control.—Sections 180-184.)

(3) The Deputy Commissioner shall have the same powers with respect to committees of the second class as are by this section conferred upon the Commissioner with respect to committees of the first class.

Action of Deputy Commissioner or Commissioner to be immediately reported.

180. When the Deputy Commissioner makes any order under section 177, section 178 or section 179, he shall forthwith forward to the Local Government through the Commissioner, and, when the Commissioner makes any order under section 177 or section 179, he shall forthwith forward to the Local Government, a copy thereof, with a statement of the reasons for making it, and with such explanation, if any, as the committee may wish to offer; and the Local Government may thereupon confirm, modify or rescind the order.

Powers of Local Government and its officers over committees.

181. (1) The Local Government, and the Commissioners and Deputy Commissioners acting under the orders of the Local Government, shall be bound to require that the proceedings of committees shall be in conformity with law and with the rules in force under any enactment for the time being applicable to the Punjab generally or to the areas over which the committees have authority.

(2) The Local Government may exercise all powers necessary for the performance of this duty, and may, among other things, by order in writing, annul or modify any proceeding which it may consider not to be in conformity with law or with such rules as aforesaid.

(3) The Commissioner of the division and the Deputy Commissioner may, within their jurisdiction, for the same purpose exercise such powers as may be conferred upon them by rule made in this behalf by the Local Government.

Power of Local Government to supersede committee in case of incompetency, persistent default or abuse of powers.

182. (1) Should a committee be incompetent to perform, or persistently make default in the performance of, the duties imposed on it by or under this or any other Act, or exceed or abuse its powers, the Local Government may, with the previous approval of the Governor General in Council, by notification, in which the reasons for so doing shall be stated, declare the committee to be superseded:

Provided that, in case of public emergency, such notification may be issued without the previous approval of the Governor General in Council, but shall be forthwith reported to the Governor General in Council, and shall be subject to his orders.

(2) When a committee is so superseded, the following consequences shall ensue:—

(a) all members of the committee shall, from the date of the notification, vacate their seats:

(b) all powers and duties of the committee may, until the committee is reconstituted, be exercised and performed by such person as the Local Government may appoint in that behalf:

(c) all property vested in the committee shall, until the committee is reconstituted, vest in Her Majesty.

(3) The Local Government may, if it shall think fit, at any time constitute another committee in the place of any committee superseded under this section.

Disputes.

183. (1) If any dispute, for the decision of which this Act does not otherwise provide, arises between two or more committees constituted under this Act, or between any such committee and a district board or cantonment authority, the matter shall be referred—

(a) to the Deputy Commissioner if the local authorities concerned are in the same district;

(b) to the Commissioner or Commissioners of the division or divisions if the local authorities concerned are in different districts; and

(c) to the Local Government if the local authorities concerned are in different divisions and the Commissioners of those divisions cannot agree.

(2) The decision of the authority to which any dispute is referred under this section shall be final.

(3) If, in the case mentioned in clause (a), the Deputy Commissioner is a member of one of the committees or boards concerned, his functions under the section shall be discharged by the Commissioner.

Power of Local Government to frame forms and make rules.

184. (1) The Local Government may frame forms for any proceeding of a committee for which it considers that a form should be provided, and may make rules consistent with this Act—

(a) with respect to the powers and duties of committees in municipalities of the first and of the second class respectively;

(b) as to the division of municipalities into wards, or of the inhabitants into classes, or both;

(c) as to the number of representatives proper for each ward or class;

(d) as to the qualifications of electors and of candidates for election;

(e) as to the registration of electors;

(f) as to the nomination of candidates, the time of election and the mode of recording votes;

(g) generally for regulating all elections under this Act;

(h) fixing the term of office of members and presidents of committees;

(i) prescribing the qualifications requisite in the case of persons appointed by a committee to offices requiring professional skill;

(j) as to the priority to be given to the several duties of the committee;

(k) as to the authority on which money may be paid from the municipal fund;

(l) as to the appointment, promotion, suspension, reduction, fining and dismissal of municipal watchmen;

(m) as to the formation and working of municipal fire-brigades;

(n) as to the procedure to be observed for the punishment or dismissal of servants of the committee;

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(Chapter IX.—Control.—Section 185. Chapter X.—Supplemental.—Sections 186-189.)

(*o*) as to the conditions on which property vested in the committee may be transferred by sale, mortgage, lease, exchange or otherwise ;

(*p*) as to the intermediate office or offices, if any, through which correspondence between committees or members of committees and the Local Government or officers of that Government shall pass ;

(*q*) as to the preparation of plans and estimates for works to be partly or wholly constructed at the expense of committees, and as to the person by whom, and the conditions subject to which, such plans and estimates are to be sanctioned ;

(*r*) as to the accounts to be kept by committees, as to the conditions on which such accounts are to be open to inspection by inhabitants paying any tax under this Act, as to the manner in which such accounts are to be audited and published, and as to the power of the auditors in respect of disallowance and surcharge ;

(*s*) as to the preparation of estimates of income and expenditure of committees, and as to the person by whom, and the conditions subject to which, such estimates may be sanctioned ;

(*t*) as to the returns, statements and reports to be submitted by committees ;

(*u*) as to the powers to be exercised by Commissioners and Deputy Commissioners under section 181 ;

(*v*) as to the language in which business shall be transacted, proceedings recorded and notices issued ;

(*w*) as to the publication of notices ; and

(*x*) generally for the guidance of committees and public officers in carrying out the purposes of this Act.

(2) Rules under clause (*g*) of sub-section (*1*) may, among other matters, provide—

(*i*) for the investigation of allegations of corrupt practices or intimidation at elections;

(*ii*) for making void the election of any person proved to the satisfaction of the Local Government or of the Commissioner, as the municipality may be of the first or of the second class, to have been guilty of corruption or intimidation or to have connived at or abetted the exercise of corruption or intimidation on his behalf by any other person ;

(*iii*) for rendering incapable of municipal office either permanently or for a term of years any person whose election may have been made void as aforesaid for corruption or intimidation or for connivance at or abetment of the same ; and

(*iv*) for the definition of the practices at municipal elections which are to be deemed to be corrupt or to amount to intimidation.

General powers of Local Government and Commissioners.

185. In all matters connected with this Act, the Local Government shall have and exercise over ... missioners shall have and exercise over Depu... Commissioners, the same authority and con... as they respectively have and exercise over the... in the general and revenue administration.

CHAPTER X.

SUPPLEMENTAL.

Prosecutions.

Authority for prosecutions.

186. No Court shall take cognizance of a... offence punishable un... this Act or any rule or bye-law except on the com... plaint of the committee or of some pers... authorised by the committee in this behalf.

Explanation.—The committee may authorise persons to prosecute either generally in regard to all offences against this Act and the rules thereunder or particularly in regard only to specified offences or offences of a specified class. The person authorised may be authorised by office if he is president, vice-president or secretary of the committee. In other cases the authority must be personal. The authority must in all cases be in writing, and may at any time be cancelled by the committee.

Power to compound offences.

187. (*1*) In any municipality of the first class the Local Government may empower the committee, or its president, vice-president or secretary, or any sub-committee thereof, to accept from any person against whom a reasonable suspicion exists that he has committed an offence against this Act or any rule or bye-law, a sum of money by way of composition for such offence.

(*2*) On payment of such sum of money the suspected person if in custody shall be discharged, and no further proceedings shall be taken against him in regard to the offence or alleged offence so compounded for.

(*3*) Sums paid by way of composition under this section shall be credited to the municipal fund.

(*4*) Power under sub-section (*1*) to accept composition for alleged offences may be given either generally in regard to all offences under this Act and the rules and bye-laws, or particularly in regard only to specified offences or offences of a specified class, and may at any time be withdrawn by the Local Government.

(*5*) The Local Government may make rules to regulate the proceedings of persons empowered to accept composition under this section for alleged offences.

Member not to be deemed interested in prosecution.

188. No Judge or Magistrate shall be deemed to be a party to, or personally interested in, any prosecution for an offence punishable under this Act or any rule or bye-law, or under any other law, within the meaning of section 555 of the Code of Criminal Procedure, 1882, by reason only that he is a member of the committee by the order, or under the authority, of which it has been instituted.

Rules and Bye-laws.

189. (*1*) The authority empowered to make any rules or bye-laws which ...

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before making such rules or bye-laws, publish, in such manner as may, in its opinion, be sufficient for giving information to persons interested, a draft of the proposed rules or bye-laws, with a notice specifying a date at or after which the draft will be taken into consideration; and shall, before making such rules or bye-laws, receive and consider any objection or any suggestion which may be made by any person with respect to the draft before the date so specified.

(2) If, on such consideration of the draft, any modification is made, the Local Government shall determine whether it is desirable to republish the draft under this section.

(3) Every such rule or bye-law shall be notified in English, and in such other language or languages as the Local Government may direct; and such notification shall be conclusive evidence that such rule or bye-law has been made as is required by this section.

Rules to be available for purchase and inspection.

190. (1) A copy of all rules and bye-laws made under this Act for any municipality shall be kept at the committee's office, and shall be open during office hours without charge to the inspection of any inhabitant.

(2) Copies of all such rules and bye-laws shall be kept at the committee's office for sale to the public at a price not exceeding one rupee.

Notices.

Authentication, service and validity of notices.

191. (1) Every notice issued by a committee under this Act or under any rule or bye-law shall be in writing, signed by the president, vice-president, secretary or assistant secretary, or by the members of any sub-committee specially authorised by the committee in that behalf, and may be served on the person to whom it is addressed, or delivered or left at his usual place of abode or business with some adult male member or servant of his family, or, if it cannot be so served, may be affixed to some conspicuous part of his place of abode or business.

(2) When the place of abode or business of the person to whom the notice is addressed is not within the limits of the municipality, the notice may be served by posting it in a registered cover addressed to his usual place of abode.

(3) If the owner of any property has no place of abode or business within the municipality, every such notice addressed to him as such owner may be served on the occupier.

(4) When the place of abode or business of the occupier of any property is not known, every such notice addressed to him as such occupier may be served by affixing it to some conspicuous part of the property.

(5) No notice issued by the committee under this Act or under any rule or bye-law shall be invalid for defect of form.

Mode of giving notice to owner or occupier of property.

192. When any notice is under the provisions of this Act to be given to or served on the owner or occupier of any property and he is unknown, it may be given or served—

(a) by delivering a written notice to some person on the property, or, should there be no person on the property to whom it can be delivered, by affixing it to some conspicuous part of the property; or

(b) by putting into the post a prepaid letter containing a written notice, and addressed by the description of the "owner" or "occupier" of the property (naming it) in respect of which the notice is given, without further name or description.

Publication of public notices.

193. Every public notice given by a committee under this Act or any rule or bye-law shall be published by proclamation or in such other manner as the Local Government may, by rule, direct.

Alteration of Boundaries and Class of Municipality.

Notification of intention to alter limits of municipality.

194. The Local Government may, by notification published in the official Gazette, and in such other manner as it may determine, declare its intention—

(a) to exclude from a municipality any local area comprised therein and defined in the notification; or

(b) to include within a municipality any local area in the vicinity of the same and defined in the notification:

Provided that, where the local area is a military cantonment or part of a military cantonment, no notification affecting it shall be published under this section without the previous consent of the Governor General in Council.

Alteration of limits of municipality.

195. (1) Any inhabitant of a municipality or local area in respect of which a notification has been published under section 194 may, should he object to the alteration proposed, submit his objection in writing through the Deputy Commissioner to the Local Government within six weeks from the publication of the notification in the Gazette; and the Local Government shall take such objection into consideration.

(2) When six weeks from the publication of the notification have expired, and the Local Government has considered the objections (if any) which have been submitted under sub-section (1), the Local Government may, by notification, exclude the local area from the municipality or include it therein, as the case may be.

Effect of exclusion of local area from municipality.

196. (1) When any local area has been excluded from a municipality under section 195,—

(a) this Act, and all rules, bye-laws, orders, directions and powers made, issued or conferred under this Act shall cease to apply thereto; and

(b) the Local Government shall, after consulting the committee, frame a scheme determining what portion of the balance of the municipal fund and other property vested in the committee shall vest in Her Majesty for the benefit of such

The Punjab Municipal Act, 1891.

(Chapter X.—Supplemental.—Sections 197-204.)

local area, and in what manner the liabilities of the committee shall be apportioned between the committee and the Secretary of State for India in Council; and, on the scheme being notified, the property and liabilities shall vest and be apportioned accordingly.

(*2*) All property vested in Her Majesty under sub-section (*1*) shall be applied under the orders of the Local Government to discharging the liabilities imposed on the Secretary of State for India in Council under that sub-section, or for the promotion of the safety, health, welfare or convenience of the inhabitants of the said local area.

Effect of including local area in municipality.

197. When any local area has been included in a municipality under section 195, this Act, and, except as the Local Government may otherwise by notification direct, all rules, bye-laws, orders, directions and powers made, issued or conferred under this Act and in force throughout the whole municipality at the time, shall apply to such area.

Power to change class of municipality.

198. The Local Government may, after consulting the committee, direct, by notification, that any municipality be transferred from one class to another.

Powers to except and withdraw Municipalities from provisions of Act.

Power to except municipality from provisions of Act unsuited thereto.

199. (*1*) Should the circumstances of any municipality be such that, in the opinion of the Local Government, any of the provisions of this Act are unsuited thereto, the Local Government may, by notification, except the municipality from the operation of those provisions; and thereupon the said provisions shall not apply to the municipality until applied thereto by notification.

(*2*) While such exception as aforesaid remains in force, the Local Government may make rules for the guidance of the committee and public officers in respect of the matters excepted from the operation of the said provisions.

Power to withdraw municipal area altogether from operation of this Act.

200. (*1*) The Local Government may, by notification, withdraw the whole area comprised in any municipality from the operation of this Act.

(*2*) When a notification is issued under this section in respect of any local area, this Act, and all rules, regulations, bye-laws, orders, directions and powers made, issued or conferred under this Act, shall cease to apply to the said area; and the balance of the municipal fund, and all other property at the time of the issue of the notification vested in the committee, shall vest in Her Majesty, and the liabilities of the committee shall be transferred to the Secretary of State for India in Council.

(*3*) All property vested in Her Majesty under sub-section (*2*) shall be applied under the orders of the Local Government to discharge the liabilities imposed on the Secretary of State for India in Council by that sub-section ...

Miscellaneous.

Recovery of taxes, &c.

201. Any arrears of any tax or fee or other money claimable by a committee under this Act may be recovered, on application to a Magistrate having jurisdiction within the limits of the municipality, or in any other place where the person from whom the money is claimable may for the time being be residing, by the distress and sale of any moveable property within the limits of his jurisdiction belonging to such person.

Precautions to be observed in entering dwellings.

202. When any building used as a human dwelling is entered under this Act, due regard shall be paid to the social and religious sentiments of the occupiers; and before any apartment in the actual occupancy of any woman, who according to custom does not appear in public, is entered under this Act, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

Obligation of municipal servants to discharge their duties.

203. (*1*) In the absence of a written contract to the contrary, every servant employed by a committee shall be entitled to one month's notice before discharge or to one month's wages in lieu thereof, unless he is discharged for misconduct or was engaged for a specified term and discharged at the end of it.

(*2*) Should any sweeper employed by a committee in the absence of a written contract authorising him so to do and without reasonable cause resign his employment or absent himself from his duties without giving one month's notice to the committee, or neglect or refuse to perform his duties or any of them, he shall be liable to imprisonment which may extend to two months.

(*3*) The Local Government may, by notification, direct that on and from a date to be specified in the notification, the provisions of sub-sections (*1*) and (*2*) with respect to sweepers shall apply also to any specified class of servants employed by any committee whose functions intimately concern the public health or safety.

Brothels.

204. (*1*) On the complaint of three or more inhabitants of a municipality that a house in the immediate neighbourhood and within the limits of the municipality is used as a brothel or by disorderly persons of any description to the annoyance of the respectable inhabitants of the vicinity, any Magistrate of the first class having, as such, jurisdiction in the place where the house is situated may summon the owner or tenant of the house to answer the complaint, and, on being satisfied that the house is so used and is a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it; and, if he shall fail to comply with such order within ... days, may impose upon him a fine not exceeding twenty-five rupees for every day thereafter that the house shall be so used.

(*2*) This section shall not take effect in any ... been specially extended ...

The Punjab Municipal Act, 1891.

(*Chapter X.—Supplemental.—Sections 205-209. Chapter XI.—Small Towns —Sections 210-214. Schedule.*)

Relief to agents and trustees.

205. (*1*) When any person, by reason of his receiving the rent of immoveable property as agent or trustee, or of his being as agent or trustee the person who would receive the rent if the property were let to a tenant, would, under this Act, be bound to discharge any obligation imposed by this Act on the owner of the property and for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had, in his hands funds belonging to the owner sufficient for the purpose.

(*2*) The burden of proving the facts entitling an agent or trustee to relief under this section shall lie on him.

(*3*) When any agent or trustee has claimed and established his right to relief under this section, the committee may give him notice to apply to the discharge of such obligation as aforesaid the first moneys which shall come to his hands on behalf or for the use of the owner, and, should he fail to comply with such notice, he shall be deemed to be personally liable to discharge such obligation.

Decision of question as to whether persons are "inhabitants."

206. Should any question arise whether any person or specified class of persons is or are an inhabitant or inhabitants of a local area within the meaning of this Act, the decision thereon of the Commissioner of the Division shall be conclusive.

Saving of Act XI of 1879.

1879 207. Nothing in this Act shall affect the Local Authorities Loans Act, 1879.

Simla.

Simla land-tax.

208. Whereas there is at present levied on certain lands situate in the municipality of Simla a tax at the rate of ten rupees per two thousand five hundred square yards or fraction of two thousand five hundred square yards, the said tax shall be deemed to be a tax lawfully imposed and assessed under this Act and leviable in addition to any other tax leviable hereunder.

Simla house and frontage taxes.

209. The house and frontage taxes which have been levied in the municipality of Simla since the year 1885 shall, at the rates charged in the year 1890, be deemed to have been and to be duly imposed under this Act.

CHAPTER XI.

SMALL TOWNS.

Constitution of notified areas.

210. (*1*) The Local Government may, by notification, declare that, with respect to some or all of the matters upon which a municipal fund may be expended under section 72, improved arrangements are required within a specified area, which, nevertheless, it is not expedient to constitute as a municipality.

(*2*) An area in regard to which a notification has been issued under sub-section (*1*) is hereinafter called a notified area.

(*3*) No area shall be made a notified area if it contains more than ten thousand inhabitants according to the returns of the most recent official census, or unless it contains a town or bazaar and is not a purely agricultural village.

Power of Local Government to impose taxation and regulate expenditure of proceeds thereof.

211. (*1*) The Local Government may—

(*a*) impose in any notified area any tax which could be imposed there by the committee if the notified area were a municipality;

(*b*) apply or adapt to the notified area, for the assessment and recovery of any tax imposed under clause (*a*), any of the provisions of this Act, or of any rules for the time being in force, with respect to the assessment and recovery of any tax imposed under this Act;

(*c*) arrange for the due expenditure of the proceeds of taxes imposed under clause (*a*), and for the preparation and maintenance of proper accounts;

(*d*) appoint a committee of one or more persons for the purposes of clauses (*b*) and (*c*);

(*e*) extend to any notified area the provisions of any section of this Act subject to such restrictions and modifications, if any, as the Local Government may think fit.

(*2*) The proceeds of any tax levied in any notified area under this section shall be expended only in some manner in which the municipal fund of such notified area might be expended if the notified area were a municipality.

Application of Act to notified areas.

212. For the purposes of any section of this Act which may be extended to a notified area, the committee appointed for such area under section 211 shall be deemed to be a municipal committee under this Act and the area to be a municipality.

Discontinuance of notified areas.

213. The Local Government may at any time cancel any notification under section 210.

Application of funds of areas ceasing to be notified.

214. When by reason of any order of cancellation under the last foregoing section any notified area ceases to be notified, the unexpended proceeds of any taxes levied therein under section 211 shall be applied for the benefit of the inhabitants of the said area as the Local Government may think fit.

SCHEDULE.

(*List of places referred to in section 42.*)

SIMLA.	DALHOUSIE.
DHARAMSALA.	MURREE.

L. PORTER,

Offg. Secretary to the Government of India.

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PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th January, 1891 :—

NO. 2 OF 1891.

A Bill to amend the Indian Merchandise Marks Act, 1889, and the Sea Customs Act, 1878.

WHEREAS it is expedient to amend the Indian Merchandise Marks Act, 1889, and the Sea Customs Act, 1878; It is hereby enacted as follows :—

Repeal of part of section 1, Act IV, 1889.

1. In section 1, sub-section (*2*), of the Indian Merchandise Marks Act, 1889, the words "subject to the provision of the last section of this Act" are hereby repealed.

Repeal of section 19, Act IV, 1889.

2. Section 19 of the Indian Merchandise Marks Act, 1889, and the words "*Transitory Provision*" prefixed to the section, are hereby repealed.

Amendment of section 18 (*e*) (*ii*), Act VIII, 1878.

3. In clause (*e*), sub-clause (*ii*), of section 18 of the Sea Customs Act, 1878, as amended by section 10, sub-section (*1*), of the Indian Merchandise Marks Act, 1889, for the words "that place and the country in which it is situated are" the words "the country in which that place is situated is" shall be substituted.

Additions to Act IV, 1889.

4. After section 18 of the Indian Merchandise Marks Act, 1889, as amended by this Act, the following shall be added, namely :—

Definition of piece-goods.

"19. For the purposes of section 12 of this Act, and clause (*f*) of section 18 of the Sea Customs Act, 1878, as amended by this Act, the Governor General in Council may, by notification in the Gazette of India, declare what classes of goods are included in the expression 'piece-goods, such as are ordinarily sold by length or by the piece.'

Determination of character of goods by sampling.

"20. (*1*) The Governor General in Council may make rules, for the purposes of this Act, to provide, with respect to any goods which purport or are alleged to be of uniform number, quantity, measure, gauge or weight, for the number of samples to be selected and tested and for the selection of the samples.

"(*2*) With respect to any goods for the selection and testing of samples of which provision is not made in any rules for the time being in force under sub-section (*1*), the Court or officer of customs, as the case may be, having occasion to ascertain the number, quantity, measure, gauge or weight of the goods shall, by order in writing, determine the number of samples to be selected and tested and the manner in which the samples are to be selected.

"(*3*) The average of the results of the testing in pursuance of rules under sub-section (*1*) or of an order under sub-section (*2*) shall be *primâ facie* evidence of the number, quantity, measure, gauge or weight, as the case may be, of the goods.

"(*4*) If a person having any claim to, or in relation to, any goods of which samples have been selected and tested in pursuance of rules under sub-section (*1*) or of an order under sub-section (*2*) desires that any further samples of

the goods be selected and tested, they shall, on his written application and on the payment in advance by him to the Court or officer of customs, as the case may be, of such sums for defraying the cost of the further selection and testing as the Court or officer may from time to time require, be selected and tested to such extent as may be permitted by rules to be made by the Governor General in Council in this behalf or as, in the case of goods with respect to which provision is not made in such rules, the Court or officer of customs may determine in the circumstances to be reasonable, the samples being selected in manner prescribed under sub-section (*1*), or in sub-section (*2*), as the case may be.

"(*5*) The average of the results of the tes referred to in sub-section (*3*) and of the fur testing under sub-section (*4*) shall be conclus proof of the number, quantity, measure, ga or weight, as the case may be, of the goods.

"(*6*) Rules under this section shall be ma after previous publication.

Information as to commission of offences.

"**21.** An officer of the Government wh duty it is to take part the enforcement of this A shall not be compelled in any Court to say when he got any information as to the commission any offence against this Act."

STATEMENT OF OBJECTS AND REASONS.

IN February last a Committee consisting of three officers of the Government, a representative of the Bengal Chamber of Commerce and a representative of the Calcutta Trades Association was appointed by the Governor General in Council for the purpose of considering, and submitting a report with respect to, certain matters connected with the working of the Indian Merchandise Marks Act, 1889.

2. The last paragraph of the report of the Committee, which was submitted in March last, was as follows :—

"10. We have considered some other questions in addition to those referred to us :

(1) We consider that a section should be inserted in the Act giving power to the Governor General in Council to define from time to time the term 'piece-goods'. Such an amendment is required to give statutory effect to the regulation we have proposed that only certain goods should be treated as piece-goods.

(2) It has been suggested to us that it is a hardship to require in section 10 of the Act [section 18 (*e*) (*ii*) of the Sea Customs Act] the name of both place and country on goods not made in the United Kingdom or British India. We think the objection reasonable and that it is sufficient to require the name of the country. We recommend that section 18 (*e*) be amended accordingly.

(3) We recommend the insertion in the Act of a section giving the Governor General in Council such a power with respect to yarns and certain other goods as in the case of petroleum is given to the Local Governments by section 8 (*1*) (*e*) of the Petroleum Act, XII of 1886.

(4) We also recommend the insertion in the Act of a provision similar to that contained in section 125 of the Indian Evidence Act, 1872, as amended by Act III of 1887. We make this suggestion because we think it desirable that Customs Collectors should not be compelled to disclose the names of their informants."

3. The Governor General in Council has accepted the suggestions of the Committee with respect to the amendment of the Indian Merchandise Marks Act, 1889; and the object of this Bill is to give effect to those suggestions.

The 9th January, 1891.

ANDREW R. SCOBLE.

S. HARVEY JAMES,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th January, 1891:—

No. 3 OF 1891.

A Bill to amend the Indian Penal Code and the Code of Criminal Procedure, 1882.

XLV of 1860. WHEREAS it is expedient to amend the Indian Penal Code and the Code of Criminal Procedure, 1882; It is hereby enacted as follows:— X of 1882.

Amendment of section 375 of the Indian Penal Code.

1. In section 375 of the Indian Penal Code, in the clause marked *Fifthly* and in the *Exception*, the word "twelve" shall be substituted for the word "ten". XLV of 1860.

Amendment of Schedule II to the Code of Criminal Procedure, 1882.

2. In Schedule II to the Code of Criminal Procedure, 1882, for the entry respecting section 376 of the Indian Penal Code the following shall be substituted, namely:— X of 1882. XLV of 1860.

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.	Column 6.	Column 7.	Column 8.
376	Rape— If the sexual intercourse was by a man with his own wife.	Shall not arrest without warrant.	Summons	Bailable .	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court of Session.
	In any other case .	May arrest without warrant.	Warrant.	Not bailable.	Ditto .	Ditto . .	Ditto.

STATEMENT OF OBJECTS AND REASONS.

THE fifth clause of section 375 of the Indian Penal Code declares that the offence of rape is committed whenever a man has sexual intercourse with a woman who is under ten years of age with or without her consent. The exception to the section provides that sexual intercourse by a man with his own wife, the wife not being under ten years of age, is not rape. The limit at which the age of consent is now fixed favours the premature consummation by adult husbands of marriages with children who have not reached the age of puberty, and is thus, in the unanimous opinion of medical authorities, productive of grievous suffering and permanent injury to child-wives and of physical deterioration in the community to which they belong. It has, therefore, been determined to raise the age of consent to twelve, and the Bill effects this purpose by substituting the word "twelve" for "ten" in the fifth clause of section 375 of the Indian Penal Code and the exception to that section. In order to prevent the possibility of vexatious and unjustifiable interference with the domestic concerns of respectable people which might result from the raising of the age of consent, it has been determined to withdraw the offence of rape, when alleged to have been committed by a husband on his wife, from the cognizance of the police, and the alteration of Schedule II of the Criminal Procedure Code of 1882 contained in the Bill has been made with this object.

The 9th January, 1891.

ANDREW R. SCOBLE.

S. HARVEY JAMES,
Secretary to the Government of India.

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PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th February, 1891 :—

NO. 7 OF 1891.

A Bill to amend the Law of Evidence with respect to Bankers' Books.

WHEREAS it is expedient to amend the Law of Evidence with respect to Bankers' Books; It is hereby enacted as follows :—

Title, extent and commencement.

1. (*1*) This Act may be called the Bankers' Books Evidence Act, 1891.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force at once.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,—

(*1*) "company" means a company registered under any of the enactments relating to companies from time to time in force in British India, or formed in pursuance of an Act of Parliament or by Royal Charter or Letters Patent:

(*2*) "bank" and "banker" mean any company carrying on the business of bankers and include a Government Savings Bank:

(*3*) "bankers' books" includes ledgers, day-books, cash-books, account-books and all other books used in the ordinary business of a bank:

(*4*) "legal proceeding" means any civil or criminal proceeding or inquiry in which evidence is or may be given, and includes an arbitration:

(*5*) "Court" means the person or persons before whom a legal proceeding is held or taken: and

(*6*) "Judge" means a Judge of a High Court.

Mode of proof of entries in bankers' books.

3. Subject to the provisions of this Act, a copy of any entry in a banker's book shall in all legal proceedings be received as *primâ facie* evidence of such entry and of the matters, transactions and accounts therein recorded.

Proof of book being a banker's book.

4. (*1*) A copy of an entry in a banker's book shall not be received in evidence under this Act unless it be first proved that the book was at the time of the making of the entry one of the ordinary books of the bank and that the entry was made in the usual and ordinary course of business and that the book is in the custody or control of the bank.

(*2*) Such proof may be given by an officer of the bank and may be given orally or by an affidavit sworn before any commissioner or person authorized to take affidavits.

Verification of copy.

5. (*1*) A copy of an entry in a banker's book shall not be received in evidence under this Act, unless it be further proved that the copy has been examined with the original entry and is correct.

(*2*) Such proof shall be given by some person who has examined the copy with the original entry, and may be given either orally or by an affidavit sworn before any commissioner or person authorised to take affidavits.

Case in which officer of bank not compellable to produce books.

6. An officer of a bank shall not in any legal proceedings to which the bank is not a party be compellable to produce any banker's book the contents of which can be proved under this Act, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of a Judge made for special cause.

7. (*1*) On the application of any party to a legal proceeding the Court or a Judge may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceeding.

Inspection of books by order of Court or Judge.

(*2*) An order under this section may be made either with or without summoning the bank or any other party, and shall be served on the bank three clear days before the same is to be obeyed, unless the Court or Judge otherwise directs.

8. (*1*) The costs of any application to the Court or a Judge under or for the purposes of this Act and the costs of anything done or to be done under an order of the Court or a Judge made under or for the purposes of this Act shall be in the discretion of the Court or Judge who may order the same or any part thereof to be paid to any party by the bank where the same have been occasioned by any fault or delay on the part of the bank.

Costs.

(*2*) Any such order against a bank may be enforced as if the bank was a party to the proceeding.

(*3*) An order under this section awarding costs to a party may, on the application of the party to any Court of Civil Judicature designated in the order, be executed by such Court as if the order were a decree for money passed by itself:

Provided that nothing in this sub-section shall be construed to derogate from any power which the Court or Judge making the order may possess for the enforcement of its or his directions with respect to the payment of costs.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to apply to British India the provisions of the English Bankers' Books Evidence Act, 1879, under which copies of entries in bankers' books are made receivable in evidence under certain conditions.

The 6th February, 1891.

ANDREW R. SCOBLE.

S. HARVEY JAMES,

Secretary to the Government of India.

Government Gazette,

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LAHORE, THURSDAY, JULY 23, 1891.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 16th July 1891:

NO. 10 OF 1891.

A Bill to validate certain marriages solemnized under Part VI of the Indian Christian Marriage Act, 1872.

1872. WHEREAS provision is made in Part VI of the Indian Christian Marriage Act, 1872, for the solemnization of marriages between persons of whom both are Native Christians, but not of marriages between persons of whom one only is a Native Christian;

And whereas persons licensed under section 9 of the said Act have in divers parts of British India, through ignorance of the law, permitted marriages to be solemnized in their presence under the said Part between persons of whom one is a Native Christian and the other is not a Native Christian;

And whereas it is expedient that such marriages, having been solemnized in good faith, should be validated;

It is hereby enacted as follows:

Commencement.

1. This Act shall come into force at once.

Definition.

2. In this Act the expression "Native Christian" has the same meaning as in the Indian Christian Marriage Act, 1872. 1872.

Validation of irregular marriages. 1872.

3. All marriages which have already been solemnized under Part VI of the Indian Christian Marriage Act, 1872, or which may within three months after the commencement of this Act be solemnized under that Part between persons of whom one only was or shall have been a Native Christian, shall be as good and valid in law as if such marriages had been solemnized between persons of whom both were Native Christians.

Validation of records of irregular marriages.

4. Certificates of marriages which are declared by the last foregoing section to be good and valid in law and register-books, and certified copies of true and duly authenticated extracts therefrom, deposited in compliance with the law for the time being in force, in so far as the register-books and extracts relate to such marriages as aforesaid, shall be received as evidence of such marriages as if such marriages had been solemnized between persons of whom both were Native Christians.

Application of Act to marriages under Act V of 1865.

5. References in this Act to the Indian Christian Marriage Act, 1872, shall, so far as may XV be requisite, be construed as applying also to the corresponding portions of the Indian Marriage Act, 1865. V o

Penalty for solemnizing irregular marriages.

6. If any person licensed under section 9 of the said Act to grant certificates of marriage between Native Christians shall at any time after the passing of this Act solemnize or affect to solemnize any marriage under Part VI of the said Act or grant any such certificate as therein mentioned, knowing that one of the parties to such marriage or affected marriage was at the date of such solemnization not a Christian, he shall be liable to have his license cancelled, and in addition thereto he shall be deemed to have been guilty of an offence prohibited by section 73 of the said Act, and shall be punishable accordingly.

STATEMENT OF OBJECTS AND REASONS.

THE objects and reasons of this Bill are set forth in its preamble. Marriages between persons who are Christians and persons who are not Christians must be solemnized under some other Part of the Indian Christian Marriage Act, 1872, than Part VI.

The 15th July, 1891.

ALEX. EDW. MILLER.

S. HARVEY JAMES,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, AUGUST 13, 1891.

PART V.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 6th August 1891:

NO. 12 OF 1891.

THE PUNJAB MUNICIPAL BILL, 1891.

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SECTIONS.

SECTIONS.

The Punjab Municipal Bill, 1891.

(Chapter I.—Preliminary.—Sections 1-2.)

A Bill to make better provision for the administration of Municipalities in the Punjab.

WHEREAS it is expedient to make better provision for the administration of municipalities in the Punjab; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (*1*) This Act may be called the Punjab Municipal Act, *1891*.

(*2*) It extends only to the territories for the time being administered by the Lieutenant-Governor of the Punjab; and

(*3*) *It* shall come into force on such *day* as the Local Government may, by notification in the official Gazette, *appoint* in this behalf.

Repeal.

2. (*1*) *The Punjab Municipal Act, 1884, is hereby repealed:*

(*2*) *But all municipalities constituted, committees established, limits defined, appointments, rules, regulations, byelaws and orders made, notifications and notices issued, taxes, tolls, rates and fees imposed or assessed, contracts entered*

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(*Chapter I.—Preliminary.—Sections 3-4. Chapter II.—Committees.—Sections 5-6.*)

enactment thereby repealed, shall, so far as may be, be deemed to have been respectively constituted, established, defined, made, issued, imposed or assessed, entered into and instituted under this Act.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(*1*) "municipality" means any local area declared *by or under this Act* to be a municipality:

(*2*) "committee" means a municipal committee *established by or* under this Act:

(*3*) "inhabitant" includes any person ordinarily residing or carrying on business, or owning or occupying immoveable property, in any municipality or in any local area which the Local Government has by notification proposed under this Act to declare *to be* a municipality:

(*4*) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway:

(*5*) "owner" includes the person for the time being receiving the rent of lands and buildings, or either of them, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive the same if the land or building were let to a tenant:

(*6*) *"explosive" and "petroleum" have the meanings assigned to those words in the Indian*
884. *Explosives Act, 1884, and the Petroleum Act,*
886. *1886, respectively:*

(*7*) *"animal" means any creature other than a human being: and*

(*8*) "notification" means a notification published by authority of the Local Government *or under this Act* in the official Gazette: *and*

(*9*) "notified" means published as aforesaid.

Procedure for constituting municipality.

4. (*1*) The Local Government may, by notification, propose to declare any town or group of towns, together with any railway-station, village, building or land in the vicinity of any such town, a municipality under this Act:

Provided that *no* military cantonment *or part of a military cantonment* shall, without the consent of the Governor General in Council, be comprised in any such notification.

(*2*) Every such notification shall define the limits of the local area to which it relates.

(*3*) A copy of every notification under this section, with a translation in such vernacular language as the Local Government directs, shall be affixed in some conspicuous place in the court-house of the *District Magistrate within whose jurisdiction the local area to which the notification* relates *lies*, and in one or more conspicuous places in that local area.

(*4*) The *District Magistrate* shall certify to the Local Government the date on which the copy and translation were so affixed, and the date so certified shall be deemed to be the date of publication of the notification.

(*5*) If any inhabitant objects to the notification issued under sub-section (*1*), he may, within six weeks from the date of its publication, submit his objection in writing through the *District Magistrate* to the Local Government, and the Local Government shall take his objection into consideration.

(*6*) When six weeks from the date of the publication have expired, and the Local Government has considered and passed orders on any such objections which may have been submitted to it, the Local Government may, by notification, declare the local area to be, for the purposes of this Act, a municipality of the first or second class.

(*7*) A committee shall come into existence at such time as the Local Government may, by notification, appoint in this behalf.

CHAPTER II.

COMMITTEES.

Constitution of Committees.

Appointment or election of members.

5. (*1*) There shall be established for each municipality a committee having authority over the municipality *and* consisting of such number of members as the Local Government may fix in this behalf.

(*2*) The members may be appointed by the Local Government either by name or by *office*, or may be elected from among the inhabitants in accordance with rules made by the Local Government under this Act, or some may be appointed and some elected, as the Local Government directs:

Provided that—

(*a*) when the Local Government has directed that all or any proportion of the members shall be elected, it shall not thereafter direct that they shall be appointed, unless a majority of the electors declare that they so desire, or for some reason *which the Local Government may deem to affect* the public interests; and,

(*b*) *unless* the Governor General in Council *otherwise directs*, two-thirds of the members of every committee shall be persons *who either have been elected or are not* salaried officers of the Government.

(*3*) When, under a direction issued under sub-section (*2*), any places on a committee are required to be filled by election, and a sufficient number of members is not elected, the Local Government may fill those places by appointment.

Term of office of members.

6. (*1*) *If a* member of a committee *is* appointed by office, *the person for the time being holding the office shall* be a member of the committee *until the Local Government otherwise directs.*

(*2*) The term of office of all other appointed and elected members of a committee shall be fixed by the Local Government by rules made under this Act, and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(*3*) An outgoing member may, if otherwise qualified, be again elected or appointed.

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(*Chapter II.—Committees.—Sections 7-16.*)

Special provision with respect to term of office of appointed members.

7. *The Local Government may at any time direct that an office of member of a committee which is then filled by an elected member shall in future when vacant be filled by an appointed member, and it may also direct that the tenure of office of the elected member shall cease upon a date appointed in the direction;*

and, if the latter direction is given, the said tenure of office shall cease accordingly notwithstanding anything to the contrary in this Act or in the rules thereunder.

Special provision with respect to term of office of elected members.

8. *The Local Government may at any time direct that an office of member of a committee then filled by appointment shall in future when vacant be filled by an elected member,*

and it may also direct that the tenure of office of the appointed member shall cease upon a date appointed in the direction;

and, if the latter direction is given, the said tenure of office shall cease accordingly nothwithstanding anything to the contrary in this Act or in the rules thereunder.

Special power to Local Government to fix term of office of certain members.

9. *The Local Government may at any time fix the number of members to compose a committee below the number of members then composing the committee, and it may also direct, so far as may be necessary to reduce the number of members to the number fixed, that the tenure of office of any member shall cease upon a date appointed in the direction;*

and, if such direction is given, that tenure of office shall cease accordingly notwithstanding anything to the contrary in this Act or in the rules thereunder.

Resignation of member of committee.

10. (*1*) *A member of a committee who wishes to resign may forward his written resignation, through the president of the committee, to the District Magistrate within whose jurisdiction the municipality lies.*

(*2*) *When the resignation is accepted by the Local Government it shall be deemed complete, and the member shall be deemed to have vacated his office.*

Powers of the Local Government as to removal of members.

11. (*1*) The Local Government may remove any member of a committee—

(*a*) if he refuses to act, or becomes, in the opinion of the Local Government, incapable of acting or is declared *a bankrupt or an* insolvent or is convicted of any such offence, or subjected by a Criminal Court to any such order, as implies, in the opinion of the Local Government, a defect of character which unfits him to be a member;

(*b*) if he has been declared by notification to be disqualified for employment in the public service;

(*c*) if he, without an excuse sufficient in the opinion of the Local Government, neglects for more than three consecutive

(*d*) if his continuance in office is, in the opinion of the Local Government, dangerous to the public peace or order; or,

(*e*) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Local Government unnecessary or undesirable.

(*2*) A person removed under this section shall be disqualified for election unless and until the Local Government otherwise directs.

Filling of casual vacancies.

12. (*1*) When the place of an elected member of a committee becomes vacant by the resignation or removal of the member or by his death, a new member shall be elected in accordance with the rules made by the Local Government under this Act to fill the place:

Provided that the Local Government may direct in any such case that the vacancy shall be left unfilled.

(*2*) When the place of a member of a committee appointed by name becomes vacant as aforesaid, the Local Government may, if it thinks fit, appoint a new member to fill the place.

(*3*) A person elected or appointed under this section to fill a casual vacancy shall hold office until the person whose place he fills would regularly have gone out of office, and shall then go out of office, but may, if otherwise qualified, be again elected or appointed.

Incorporation of committee.

13. Every committee shall be a body corporate by the name of the municipal committee of its municipality, and shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to the provisions of this Act, to transfer any property held by it, to contract and to do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

Protection of Government officers employed by committees.

14. A Government officer employed by *a committee* at the *commencement of this Act and from the commencement of the Punjab Municipal Act, 1884*, shall not be dismissed from that employment without the sanction of the Local Government.

Member of committee to be municipal commissioner.

15. Every member of a committee shall be deemed to be a municipal commissioner within the meaning of every enactment for the time being in force.

President and Vice-President.

Election or appointment of president and vice-president.

16. (*1*) Every committee shall, from time to time, elect one of its members to be president, and the member so elected shall, if the election is approved by the Local Government in the case of a first class committee, and by the Commissioner in the case of a second class committee, become president of the committee:

Provided that the committee, instead of electing a president and submitting his name for approval to the Local Government or the Commissioner, may apply to the Local Govern-

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(Chapter II.—Committees.—Sections 17-24.)

that the Local Government may, by notification, exclude any committee from the operation of this *sub-section*; and that in either of these cases, or if no election is made within one month from *the* occurrence of a vacancy in the office of *president*, or if the person elected is not approved, the Local Government or the Commissioner, *as the case may be*, may, if it or he thinks fit, appoint one of the members of the committee to be president.

(2) Every committee may also, from time to time, elect one or two of its members to be its vice-president or vice-presidents.

(3) A member elected or appointed under this section to be president or vice-president may be elected or appointed by office if he was appointed a member of the committee in the same way.

(4) If a president is elected or appointed by office, or if a vice-president is elected by office, then the person who for the time being holds the office shall be president or vice-president of the committee, as the case may be, during the term fixed under section 17, sub-section (1), for retention of office by a president or vice-president.

Term of office of president and vice-president.

17. (1) A president shall hold office for such term, not exceeding three years, as the Local Government may, by rule, fix, and a vice-president shall hold office for such term as the committee may, by rule, fix.

(2) A president or vice-president shall vacate office as such when he ceases to be a member of committee, or tenders in writing to the committee his resignation of his office as president or vice-president; and he may be removed from his office by the Local Government if moved to do so by resolution passed by two-thirds of the members present at a special meeting.

(3) Every resignation of office tendered under this section shall be reported, as soon as may be, to the *District Magistrate*.

Casual vacancies in office of president or vice-president.

18. (1) If a president or vice-president ceases to be a member of the committee, dies, resigns his office or is removed, a new president or vice-president shall be elected or appointed in manner provided by section *16*.

(2) A person elected or appointed under this section to fill a casual vacancy shall hold office until the person whose place he fills would regularly have gone out of office, and shall then go out of office.

(3) A person going out of office under sub-section (2) may, if otherwise qualified, be again elected or appointed.

Delegation of certain powers and functions of Local Government.

19. (1) *The powers and functions of the Local Government under section 5, sub-section (3), section 10, section 12, and section 27, sub-section (2), may be delegated by the Local Government to Commissioners of Division.*

(2) In regard to powers or functions delegated to them under this section, Commissioners of Division shall have the same authority as the Local Government, and the delegation shall continue until revoked by the Local Government.

(3) A delegation under this section may be of all or any of the powers and functions aforesaid, and may be made generally in regard to either all the municipalities, or all the municipalities of a particular class, within the division of the Commissioner, or it may be made particularly in regard to certain municipalities only.

(4) The delegation may be by name or by office.

Notification of Elections and *Appointments.*

Notification of elections, appointments and vacancies.

20. Every election and appointment of a member or president of a committee, and every vacancy in the office of member or president arising otherwise than by the expiration of his term of office, shall be notified, *in the case of a municipality of the first class, by the Local Government, and, in the case of a municipality of the second class, by the Commissioner of the Division*, and no such election or appointment shall take effect until it is *so* notified.

Conduct of Business.

Time for holding meetings.

21. (1) A committee shall meet for the transaction of business at least once in every month at such time as may, from time to time, be fixed by the rules made under section *27*.

(2) The president or, in his absence, a vice-president may, whenever he thinks fit, and shall, on a requisition made in writing by not less than one-fifth of the members of the committee, convene either an ordinary or a special meeting at any other time.

Ordinary and special meetings.

22. (1) A meeting of a committee shall be either ordinary or special.

(2) Any business may be transacted at an ordinary meeting unless it is required by this Act or the rules made under this Act to be transacted at a special meeting.

Quorum.

23. (1) The quorum necessary for the transaction of business at a special meeting of a committee shall be one-half of the committee.

(2) The quorum necessary for the transaction of business at an ordinary meeting of a committee shall be such number or proportion of the members of the committee as may, from time to time, be fixed by the rules made under section *28*, but shall not be less than three:

Provided that, if at any ordinary or special meeting of the committee a quorum is not present, the chairman shall adjourn the meeting to such other day as he thinks fit, and the business which would have been brought before the original meeting if there had been a quorum present shall be brought before, and transacted at, the adjourned meeting, whether there is a quorum present thereat or not.

Chairman of meeting.

24. (1) At every meeting of a committee the president, if present, shall preside as chairman.

(2) If, when any meeting is held, the office of president is vacant, or the president is absent from the meeting and a vice-president is

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(*Chapter II.—Committees.—Sections 25-32.*)

present, the vice-president or, when two vice-presidents are present, the senior of them by date of appointment shall preside as chairman.

(*3*) In any case not provided for in the foregoing portion of this section, the members present shall elect one of their number to be chairman of the meeting.

Vote of majority decisive.

25. Except as otherwise provided by this Act or by rules made under this Act, all questions which come before any meeting of a committee shall be decided by a majority of the votes of the members present, the chairman of the meeting, in case of an equality of votes, having a second or casting vote.

Record and publication of proceedings.

26. (*1*) Minutes of the proceedings at each meeting of committee shall be drawn up and recorded in a book to be kept for the purpose, shall be signed by the chairman of the meeting or of the next ensuing meeting, shall be published in such manner as the Local Government directs, and shall, at all reasonable times and without charge, be open to the inspection of any inhabitant.

(*2*) A copy of every resolution passed by a committee at a meeting shall, within three days from the date of the meeting, be forwarded to the *District Magistrate*.

Rules of business.

27. (*1*) Every committee may, from time to time, at a special meeting, make rules consistent with this Act and with any rules made by the Local Government under this Act as to—

(*a*) the time and place of its meetings;

(*b*) the manner in which notice of ordinary and special meetings and adjourned meetings shall be given;

(*c*) the quorum necessary for the transaction of business at ordinary meetings;

(*d*) the conduct of proceedings at meetings and the adjournment of meetings;

(*e*) the custody of the common seal and the purposes for which it shall be used;

(*f*) the person or persons to be primarily responsible for the current executive administration and *his or* their powers; that is to say, what portion of the executive authority shall be exercised by the president, by a vice-president, by sub-committees, by individual members and by officers or servants of the committee;

(*g*) the persons by whom receipts shall be granted on behalf of the committee for money received under this Act;

(*h*) the appointment, duties, leave, suspension and removal of its officers and servants;

(*i*) the term for which a vice-president shall hold office; and

(*j*) all other similar matters.

(*2*) *Subject to the provisions of section 19,* a rule made under clause (*c*) or clause (*f*) of sub-section (*1*) shall not take effect unless it has been approved by the Local Government.

(*3*) Every rule made under this section shall

Extraordinary powers of president and vice-president in case of emergency.

28. In cases of emergency the president, or i his absence a vice-pres dent, may direct the ex cution of any work or th doing of any act whic the committee is empowered to execute or d and the immediate execution or doing of whic is, in his opinion, necessary for the service o safety of the public, and may direct that th expense of executing the work or doing the a shall be paid from the municipal fund:

Provided that—

(*a*) he shall not act under this section in con travention of any order of the committe passed at a meeting; and,

(*b*) where he acts under this section, he sha report his proceedings to the next fo lowing meeting of the committee.

Joint Committees.

Joint committees.

29. A committee may concur with any othe committee, or with any dis trict board, or with an cantonment authority, or with more than on such committee, board or authority, in appoint ing out of their respective bodies a joint com mittee for any purpose in which they are jointl interested, and in delegating to any such join committee any power which might be exercise by either or any of the committees, boards o authorities concerned, and in framing o modifying regulations as to the proceedings o any such joint committee, and as to the conduc of correspondence relating to the purpose fo which the joint committee is appointed.

Defects in Constitution and Irregularities.

Vacancies and irregularities not to invalidate proceedings.

30. Anything done or any proceeding take under this Act shall not b questioned on account o any vacancy in a committe or joint committee, or on account of any defe or irregularity not affecting the merits of th case.

Officers and Servants.

Appointment of secretary.

31. (*1*) Every committee shall, from time t time, at a special meetin appoint one of its member or, if the Commissioner consents to its appoin ing a person not being a member, any oth person, to be its secretary, and may, at a lik meeting, remove any person so appointed.

(*2*) A member of a committee appointed a secretary shall receive no remuneration in re spect of his services. When any other perso is appointed to be secretary, the committee ma with the previous sanction of the Commissione assign to him such pay as it thinks fit.

Employment of other officers and servants.

32. Subject to the other provisions of thi Act, and to such rules a the Local Government ma make prescribing the quali fications requisite in the case of persons ap pointed to offices requiring professional skill, committee may employ, in addition to its secre tary, such other officers and servants as may b

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(*Chapter II.—Committees.—Sections 33-41.*)

Power to prevent extravagance in establishments.

33. If, in the opinion of the Commissioner, the number of persons employed by a committee as officers or servants, or whom the committee propose to employ as such, or the remuneration assigned by the committee to those persons or any of them, is excessive, the committee shall, on the requirement of the Commissioner, reduce the number of those persons or the remuneration, as the case may be:

Provided that the committee may appeal against any such requirement to the Local Government, and the decision of the Local Government on any such appeal shall be final.

Pensions of Government officials serving committees.

34. In the case of a Government official, a committee may—

(*1*) if his services are wholly lent to it, subscribe for his pension or gratuity and leave-allowances in accordance with the rules of the *Civil Service Regulations* for the time being in force; and

(*2*) if he devotes only a part of his time to the performance of duties in behalf of the committee, make a contribution on account of his pension or gratuity and leave-allowances in such proportion as may be determined by the Government.

Pensions of others.

35. In the case of an officer or servant not being a Government official a committee may—

(*1*) grant him leave-allowances and, if he is not entitled to pension or if his monthly pay is less than ten rupees, a gratuity; and,

(2) if empowered in this behalf by the Local Government,—

(*a*) subscribe on his behalf for pension or gratuity under the rules of the *Civil Service Regulations* for the time being in force; or

(*b*) purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which under the *Civil Service Regulations* for the time being in force the officer or servant would be entitled if the service had been service under *the* Government.

Contracts.

Authority to contract.

36. (*1*) The committee of a municipality of the first class may, subject to the provisions of this Act, delegate to one or more of its members the power of entering on its behalf into any particular contract whereof the value or amount does not exceed five hundred rupees, or into any class of such contracts.

(*2*) No contract by or in behalf of any committee whereof the value or amount exceeds five hundred rupees shall be entered into until it has been sanctioned at a meeting of a committee.

Mode of executing contracts and transfers of property.

37. (*1*) Every contract made by or on behalf of the committee of a municipality of the first class whereof the value or amount exceeds one hundred rupees, and every contract made by or on behalf of the committee of a municipality of the second class whereof the value or amount exceeds fifty rupees, shall be in writing, and shall be signed by the president or vice-president, and by the secretary if he is a member of the committee, or, if the secretary is not a member of the committee, by another member:

Provided that, when the power of entering into any contract on behalf of the committee has been delegated under the last *foregoing* section, the signature or signatures of the member or members to whom the power has been delegated shall be sufficient.

(*2*) A transfer of immoveable property belonging to a committee must be made by an instrument in writing, executed by the president or vice-president, and by at least two other members of the committee.

(*3*) No contract or transfer of the description mentioned in this section executed otherwise than in conformity with the provisions of this section shall be binding on the committee.

Penalty on member, officer or servant being interested in contract made with a committee.

38. (*1*) If any member, officer or servant of a municipal committee or *of a* joint committee is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that committee, he shall be deemed to have committed an offence under the Indian Penal Code, section 168.

(*2*) A person shall not, by reason of being a shareholder in, or a member of, any incorporated or registered company, be held to be interested in any contract entered into between the company and a committee; but he shall not take part in any proceedings of the committee relating to any such contract.

Privileges and Liabilities.

Suits against committee and its officers.

39. No suit shall be instituted against a committee, or against an officer of a committee in respect of an act purporting to be done by him in his official capacity, until the expiration of one month next after notice in writing has been, in the case of a committee left at its office, and in the case of an officer delivered to him or left at his office or place of abode, stating the cause of action and the name and place of abode of the intending plaintiff; and the plaint must contain a statement that such a notice has been so delivered or left:

Provided that this section shall not apply to any suit instituted under section 54 of the Specific Relief Act, 1877.

Liability of members of committees.

40. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to a committee, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a member of the committee; and a suit for compensation for the same may be instituted against him, in such Court as the Local Government directs, by the committee with the sanction of the Commissioner, or by the Secretary of State for India in Council.

Acquisition of Land.

Acquisition of land.

41. Where any land, whether within or without the limits of a municipality, is required for the

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(*Chapter III.—Taxation.—Sections 42-45.*)

purposes of this Act, the Local Government may, at the request of the committee, proceed to acquire it under the provisions of the Land Acquisition Act, 1870; and, on payment by the committee of the compensation awarded under that Act, and of any other charges incurred in acquiring the land, the land shall vest in the committee.

of 1870.

CHAPTER III.

TAXATION.

General Provisions.

Taxes which may be imposed.

42. (*1*) Subject to any general rules or special orders which the Governor General in Council may make in this behalf, and to any rules made by the Local Government under this Act, a committee may, from time to time, for the purposes of this Act, and in the manner by this Act directed, impose in the whole or any part of the municipality any of the following taxes, namely :—

(*A*) with the previous sanction of the Local Government :—

(*a*) a tax on buildings and lands—

(i) not exceeding in any municipality specified in the schedule 10 per cent., and elsewhere $7\frac{1}{2}$ per cent., on the annual value ; or

(ii) not exceeding in *any* municipality *specified in the schedule* one anna four pies, and elsewhere one anna, per square yard of the ground area ; or

(iii) not exceeding in *any* municipality *specified in the schedule* four rupees, and elsewhere three rupees, per running foot of frontage in streets or bazars ;

(*b*) a tax on persons practising any profession or art or carrying on any trade or calling in the municipality ;

(*c*) a tax on all or any vehicles, boats, animals used for riding, driving, draught or burden, and dogs, *when the vehicles, boats, animals used as aforesaid, and dogs, are* kept within the municipality ;

(*d*) a tax on vehicles and animals used as aforesaid entering the municipality ;

(*e*) a tax on menial and domestic servants ;

(*f*) an octroi on animals or goods or both brought within the octroi-limits for consumption or use therein ; and

(*B*) with the previous sanction of the Local Government and of the Governor General in Council, any other tax.

(*2*) In this section "annual value" means the gross annual rent for which buildings and lands liable to taxation may reasonably be expected to let, and, in the case of houses, may be expected to let unfurnished :

Provided that, in the case of land assessed to land-revenue or of which the land-revenue has been wholly or in part released, compounded for, be double the aggregate of the following amounts, namely :—

(*a*) the amount of the land-revenue for the time being assessed on the land, whether such assessment is leviable or not ; or, when the land-revenue has been wholly or in part compounded for or redeemed, the amount which, but for such composition or redemption, would have been leviable ; and

(*b*) when the improvement of the land due to canal-irrigation has been excluded from account in assessing the land-revenue, the amount of the owner's rate or water-advantage rate or other rate imposed in respect of such improvement.

House-scavenging-tax.

43. *When a committee has, in exercise of the powers conferred by this Act, undertaken the house-scavenging of any house or building, it may charge the occupier of such house or building, in respect of the house-scavenging done for him, with a tax, imposed in the manner by this Act directed, of such amount or at such rate as it thinks fit.*

Water-tax.

44. (*1*) Besides the taxes mentioned in the foregoing sections, a committee, with the previous sanction of the Local Government, may, for the purpose of constructing or maintaining works for the supply of water to the municipality or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner by this Act directed, a tax, to be called the water-tax, upon buildings or lands which are so situated that their occupiers can benefit by the works.

(*2*) The rate or amount of the tax so imposed on different buildings or lands may be determined with reference, among other considerations, to their distance from the nearest point at which the water is deliverable by the works and to their level ; but in fixing it regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts, should not exceed the amount required for the said purposes.

Procedure in imposing taxes.

45. (*1*) A committee may, at a special meeting, pass a resolution to propose the imposition of any tax under section 42, section *43* or section *44*.

(*2*) When such a resolution has been passed, the committee shall publish a notice, defining the class of persons or description of property proposed to be taxed, the amount or rate of the tax to be imposed and the system of assessment to be adopted.

(*3*) Any inhabitant objecting to the proposed tax may, within thirty days from the publication of the notice, submit his objection in writing to the committee ; and the committee shall, at a special meeting, take his objection into consideration.

(*4*) If no such objection is received within the said period of thirty days, or if such objection, is deemed having been considered as aforesaid, is deemed insufficient, the committee may forward its proposals to the Local Government, with the ob- [illegible] mitted as

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(*Chapter III.—Taxation.—Sections 46-52.*)

(5) The Local Government, on receiving such proposals, may sanction the same, or refuse to sanction them, or return them to the committee for further consideration.

(6) When the Local Government sanctions any such proposals which require the further sanction of the Governor General in Council, it shall submit the same to the Governor General in Council, with the objections (if any) received through the committee; and the Governor General in Council may sanction the proposals, or refuse to sanction them, or return them to the Local Government for further consideration.

(7) When the proposals of a committee have been sanctioned by the Local Government, or by the Local Government and the Governor General in Council, as the case may be, the committee may, at a special meeting, direct the imposition of the tax in accordance with such proposals.

(8) *In giving such direction the committee shall fix a date on which the tax shall come into force:*

Provided that—

(a) *a tax shall not come into force until its imposition has been notified:*

(b) *a tax shall not come into force less than three months from the date of the meeting at which its imposition is directed:*

(c) *a tax leviable by the year shall come into force on the first day of January or on the first day of April or on the first day of July or on the first day of October in any year; and if it does not come into force on the first day of January, then the tax shall be leviable to the extent of one-twelfth of its annual amount for each month of the period from the date on which it comes into force till the first day of January next ensuing; and from the latter date it shall be leviable in full for the year thereon commencing.*

(9) A notification of the imposition of a tax under this Act shall be conclusive evidence that the tax has been imposed in accordance with the provisions of this Act.

Power to abolish or reduce tax.

46. A committee may, by a resolution passed at a special meeting and confirmed by the Local Government, abolish or reduce in amount any tax imposed under the foregoing sections.

Power to exempt from taxation.

47. (1) A committee may exempt, in whole or in part, from the payment of any such tax any person who by reason of poverty may in its opinion be unable to pay the same.

(2) A committee may, by resolution passed at a special meeting and confirmed by the Local Government, and the Local Government may by order, exempt in whole or in part from the payment of any such tax any person or class of persons or any property or description of property.

Power for Local Government to suspend levy of tax.

48. (1) If at any time it appears to the Local Government, on complaint made or otherwise, that any tax imposed under the foregoing sections is unfair in its incidence or that the levy thereof or of any part thereof is injurious to the interests of the general public, it may require the committee to take within a specified period measures to remove the objection; and, if within that period the requirement is not complied with to the satisfaction of the Local Government, the Local Government may by notification suspend the levy of the tax or of such part thereof until the objection has been removed.

(2) The Local Government may at any time by notification rescind any such suspension.

Taxes not invalid for defect of form.

49. No tax imposed under this Act shall be invalid merely for defect of form; and it shall be enough in any such tax on property or any assessment of value for the purpose of any such tax if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

Taxes when payable.

50. (1) Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the committee with the previous sanction of the *District Magistrate* may, by rule, from time to time direct.

(2) *A tax payable for a year or any other period is said in this Act to be payable by instalments when the period is divided into definite parts in respect of each of which a corresponding part of the tax is payable; but mere payment of such a tax in portions does not constitute payment by instalments unless the portions throughout the period correspond to similar portions of time.*

Receipts to be given.

51. For all sums paid on account of any tax under this Act a receipt, stating the amount and the tax on account of which it is paid, shall be given by the person receiving the same, on request by the person making the payment.

Appeals against taxation.

52. (1) An appeal against the assessment or levy of any tax under this Act shall lie to the *District Magistrate or to such other officer as may be empowered by the Local Government in this behalf:*

Provided that, when the District Magistrate or such other officer as aforesaid is a member of the committee, the appeal shall lie to the Commissioner of the Division.

(2) If, on the hearing of an appeal under this section, any question as to the liability to, or the principle of assessment of, a tax arises, on which the officer hearing the appeal entertains reasonable doubt, he may, either of his own motion or on the application of any person interested, draw up a statement of the facts of the case and the point on which doubt is entertained, and refer the statement with his own opinion on the point for the decision of the Chief Court.

(3) On a reference being made under sub-section (2) the subsequent proceedings in the case shall be, as nearly as may be, in conformity with the rules relating to references to the High Court contained in Chapter XLVI of the Code of Civil Procedure. XIV of 1882.

The Punjab Municipal Bill, 1891.

(Chapter III.—Taxation.—Sections 53-58.)

(4) If an appeal is wholly accepted, the officer deciding the appeal may order the committee to pay the reasonable costs of the appellant in making the appeal if the assessment or levy of the tax appears to have been made without reasonable care, but not otherwise;

if an appeal is wholly rejected, the officer deciding the appeal may order the appellant to pay the reasonable costs of the committee in defending the appeal if the appeal appears to have been made without reasonable or proper ground, but not otherwise;

if the appeal is partly accepted and partly rejected, no costs shall be allowed to either party.

(5) Costs awarded under this section to the committee shall be recoverable by the committee as though they were arrears of a tax due from the appellant or under the provisions of section 53, sub-section (3).

(6) If for ten days the committee fails to pay any costs awarded to an appellant, the officer awarding the costs may order the person having the custody of the balance of the municipal fund to pay the amount.

Limitation of appeal.

53. (*1*) No appeal shall lie in respect of a tax on any land or building, unless it is preferred within one month after the publication of the notice prescribed by section *59*, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the officer before whom the appeal is preferred that he had sufficient cause for not presenting the appeal within that period.

(2) No appeal shall be entertained—

unless the appellant has paid all municipal taxes due from him to the committee other than the tax or portion of the tax in regard to which the appeal is preferred, and

unless before the appeal is preferred the appellant has deposited with the committee a sum equal in amount to the tax or portion of the tax which is in dispute and in regard to which the appeal is made.

(3) After the appeal is decided the committee may apply any sum deposited with them under sub-section (2), first, in payment of any municipal taxes then due or claimable from the appellant, and, secondly, in payment of any costs awarded against the appellant by the officer deciding the appeal. If thereafter there is any balance, it shall be returned to the appellant on his application.

Taxation not to be questioned except under this Act.

54. No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned, in any other manner or by any other authority than in this Act is provided.

Taxes on Immoveable Property.

Preparation of assessment-list.

55. (*1*) The committee shall cause an assessment-list of all buildings and lands on which any

(*a*) the name of the street or division in w
the property is situated;

(*b*) the designation of the property, either
name or by number, sufficient for i
tification;

(*c*) the names of the owner and occupi
known;

(*d*) the annual value, area or length of fr
age on which the property is asse
and

(*e*) the amount of the tax assessed there
the committee.

(*2*) For the purpose of preparing the li
committee may require the owners or occupi
the buildings or lands to furnish it with r
turns of the measurements and of the re
annual value.

Publication of notice of assessments.

56. When the assessment-list has been c
pleted, the committee s
give public notice there
and of the place where t
list or a copy thereof may be inspected; a
every person claiming to be either ow
or occupier of property included in the list, o
agent of any such person, shall be at liber
inspect the list and to make extracts the
without charge.

Public notice of time fixed for revising assessment-list.

57. (*1*) The committee shall at the same t
give public notice of a t
not less than one m
from the publication o
notice, when it will p
ceed to revise the valuation and assessm
and in all cases in which any property is fo
first time assessed, or the assessment the
is increased, it shall also give notice thereo
the owner or occupier of the property.

(*2*) All objections to the valuation and asse
ment shall be made in writing before the t
fixed in the notice or orally or in writing at t
time.

Settlement of list.

58. (*1*) After the objections have been e
quired into and the pe
making them have b
allowed an opportunity of being heard eithe
person or by authorized agent as they thi
and the revision of the valuation and asse
ment has been completed, the amendm
made in the list shall be authenticated by
signatures of not less than two members o
committee, who shall at the same time ce
that no valid objection has been made to t
valuation and assessment contained in the li
except in the cases in which amendments h
been entered therein; and, subject to s
amendments as may thereafter be duly m
the tax so assessed shall be deemed to be the
*for the year commencing on the first da
January next ensuing, as also for the p
between the certification and such first da
January, unless the tax for such period is
ready payable under an assessment prev
made.*

(*2*) The list when amended under this sect
shall be deposited in the committee's office a
shall there be open during office-hours to
owners or occupiers of property comprised th
in or the agents of such persons, and a p

The Punjab Municipal Bill, 1891.

(*Chapter III.—Taxation.—Sections 59-65.*)

Further amendments of assessment-list.

59. (*1*) The committee may at any time amend the list by inserting the name of any person whose name ought to be inserted, or by inserting any property which ought to have been inserted, or by altering the assessment on any property which has been insufficiently valued or assessed through mistake, oversight or fraud, after giving notice, to any person interested in the amendment, of a time, not less than one month from the date of service of such notice, at which the amendment is to be made.

(*2*) Any person interested in any such amendment may tender his objection to the committee in writing before the time fixed in the notice, or orally or in writing at that time, and shall be allowed an opportunity of being heard in support of the same in person or by authorized agent, as he thinks fit.

New list need not be prepared every year.

60. It shall be in the discretion of the committee to prepare a new assessment-list every year, or to adopt the valuation and assessment contained in the list for any year, with such alterations as may in particular cases be deemed necessary, as the valuation and assessment for the year following, giving the same notice of the valuation and assessment as if a new assessment-list had been prepared.

Remission of tax on unoccupied immoveable property.

61. (*1*) *When a tax payable under section 42, sub-section (1), division (A), clause (a), or under section 44, is payable in one sum in respect of an entire year, and the property in respect of which it is payable is property which is not occupied, used or rented throughout the year, or when such a tax is payable in instalments and the property is property which is not occupied, used or rented throughout the period in respect of which an instalment is payable, the amount payable in respect of such property for the year or the instalment, as the case may be, shall be remitted:*

Provided that it shall be in the discretion of the committee to direct by public notice that no remission shall be granted unless notice in writing of the circumstances under which the remission is claimed has been given to it within such time from the beginning of the year or of the period, as the case may be, as it may from time to time fix in this behalf.

(*2*) *When a tax payable under section 42, sub-section (1), division (A), clause (a), or under section 44, is payable by the year in respect of property—*

(*a*) *which has been only partially occupied, used or rented during the year for which the tax is leviable, or*

(*b*) *which is wholly or in greater part demolished or destroyed by fire or otherwise,*

the committee may remit such portion (if any) of the tax as it thinks equitable.

(*3*) *For the purposes of this section the presence of a care-taker does not constitute occupation, and the mere retention in an unoccupied dwelling-house of the furniture habitually used in it does not constitute use of the house.*

Taxes on immoveable property by whom payable.

62. (*1*) A tax payable under section *42*, sub-section (*1*), *division* (*A*), clause (*a*), shall be paid by the owner of the property in respect of which it is payable.

(*2*) A tax payable under section *44* shall be paid by the occupier of the property in respect of which it is payable.

Recovery of taxes payable by owner.

63. (*1*) When any sum is due on account of a tax payable under this Act in respect of any property by the owner thereof, the committee shall cause a bill for the amount, stating the property and the period for which the charge is made, to be presented to the person liable to pay the same.

(*2*) If the bill is not paid within ten days from the presentation thereof, the committee may cause a notice of demand to be served on that person; and, if he does not, within seven days from the service of the notice, pay the sum due, with any fee leviable for the notice, or show sufficient cause for non-payment, the sum due, with the fee, shall be deemed to be an arrear of tax.

(*3*) The amount of every such arrear, besides being recoverable in any other manner provided by this Act, shall, subject to any claim on behalf of Her Majesty, be a first charge on the property in respect of which it is payable, and shall be recoverable, on application made in this behalf by the committee to the *Collector*, as if the property were an estate assessed to land-revenue and the arrear were an arrear of such revenue due thereon:

Provided that nothing in this sub-section shall authorize the arrest of a defaulter.

Octroi and Tolls.

Power to search where octroi is leviable.

64. If any person, bringing or receiving a conveyance or package within the octroi-limits of a municipality in which octroi is leviable, refuses, on the demand of an officer authorized by the committee in this behalf, to permit the officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, the officer may cause the conveyance or package to be taken without unnecessary delay before *any* Magistrate *or member of the committee*, who shall cause the inspection to be made in his presence.

Power to examine article liable to octroi.

65. Every person bringing or receiving within the octroi-limits of any municipality any article on which octroi is payable shall, when required by an officer authorized by the committee in this behalf, and so far as may be necessary for ascertaining the amount of tax chargeable,—

(*a*) permit that officer to inspect, examine, weigh and otherwise deal with the article; and

(*b*) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature *which* he may possess relating to the article.

The Punjab Municipal Bill, 1891.

(Chapter III.—Taxation.—Sections 66-70. Chapter IV.—Municipal Fund and Property.—Sections 71-72.)

Presentation of bill for octroi.

66. Every officer demanding octroi by the authority of the committee shall tender to every person introducing or receiving any article on which the tax is claimed a bill specifying the article taxable, the amount claimed and the rate at which the tax is calculated.

Recovery of octroi and tolls.

67. (*1*) In case of non-payment of any octroi or of any toll on demand, the officer empowered to collect the same may seize any article on which the octroi is chargeable, or any vehicle or animal on which the toll is chargeable, or any part of its burden of sufficient value to satisfy the demand.

(*2*) The committee may cause any property so seized, or so much thereof as is necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid, after the lapse of five days from the seizure, and after the issue of a proclamation fixing the time and place of sale:

Provided that, by order of the president or a vice-president, articles of a perishable nature which could not be kept for five days without serious risk of damage may be sold after the lapse of such shorter time as he may, having regard to the nature of the articles, think proper.

Power to lease the collection of octroi or tolls.

68. The collection of any octroi or toll may be leased by the committee, with the previous sanction of the Commissioner, for any period not exceeding one year; and the lessee and all persons employed by him in the management and collection of the octroi or toll shall in respect thereof—

(*a*) be bound by any rules made by the committee for their guidance;

(*b*) have such powers exerciseable by servants of a committee under this Act as the committee may, from time to time, confer upon them; and

(*c*) be entitled to the same remedies and be subject to the same responsibilities as if they were employed by the committee for the management and collection of the octroi or toll.

Penalty for evasion of payment of octroi.

69. *If goods passing the octroi-boundary of a municipality are liable to the payment of octroi, then any person who, with the intention to defraud the municipal committee or their lessee for the collection of octroi, causes or abets the introduction of, or himself introduces or attempts to introduce, within the said octroi-boundary any such goods upon which payment of the octroi due on such introduction has neither been made nor tendered shall be punishable with fine which may extend either to ten times the value of such octroi or to fifty rupees.*

Duty of furnishing true information regarding liability to municipal taxation.

70. (*1*) *The committee may, by written communication, call upon any inhabitant of the municipality to furnish information …*

(*2*) *If any inhabitant so called upon to furnish information omits to furnish it or furnishes information which is untrue, he shall be punishable with fine which may extend to twenty rupees.*

CHAPTER IV.

MUNICIPAL FUND AND PROPERTY.

Constitution of municipal fund.

71. There shall be formed for each municipality a municipal fund and there shall be placed to the credit thereof—

(*a*) all sums received by or on behalf of the committee under this Act or otherwise;

(*b*) all fines realized in cases in which prosecutions for offences committed within the municipality are instituted under this Act or the rules *thereunder* or under section 34 of Act V of 1861 *or under the Prevention of Cruelty to Animals Act, 1890*; and

(*c*) the balance (if any) standing at the credit of the municipal fund of *the* municipality at the *commencement of this Act.*

Application of fund.

72. (*1*) The committee shall set apart and apply annually out of the municipal fund—

(*a*) *first*, such sum as may be required for the payment of any amounts falling due on any loan legally contracted by it;

(*b*) *secondly*, such sum as may be required to meet the charges of its own establishment, including such subscriptions and contributions as are referred to in sections 34 and 35, and such sum as may be required for the maintenance of a police establishment under Chapter V;

(*c*) *thirdly*, such sum as may be required to pay the expenses of pauper lunatics sent to public asylums from the municipality *and as ought, in the opinion of the Local Government, to be paid by the committee*, the expenses incurred in auditing the accounts of the committee and such portion of the cost of the Provincial Departments for Education, Sanitation Vaccination, Medical Relief and Public Works as may be held by the Local Government to be equitably debitable to the committee in return for services rendered to it by these Departments.

(*2*) Subject to the charges specified in sub-section (*1*) and to such rules as the Local Government may make with respect to the priority to be given to the several duties of the committee, the municipal fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the municipality, and with the sanction of the Commissioner outside the municipality, namely:—

(*a*) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, embankments, drains, latrines, tanks and water-courses;

(*b*) the watering and lighting of such streets or any of them;

The Punjab Municipal Bill, 1891.

(*Chapter IV.—Municipal Fund and Property.—Sections 73-78.*)

the promotion of education or for the benefit of the public health, and of rest-houses, sarais, poor-houses, markets, encamping-grounds, pounds and other works of public utility, and the control and administration of public institutions of any of these descriptions;

(*d*) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper-asylums and other educational or charitable institutions;

(*e*) the training of teachers and the establishment of scholarships;

(*f*) the giving of relief and the establishment and maintenance of relief-works in time of famine or scarcity;

(*g*) the supply, storage and preservation from pollution of water for the use of men or animals;

(*h*) the planting and preservation of trees;

(*i*) the taking of a census, the registration of births, marriages and deaths, public vaccination and any other sanitary measure;

(*j*) the holding of fairs and industrial exhibitions; and

(*k*) all acts and things *which are* likely to promote the safety, health, welfare or convenience of the inhabitants *or expenditure whereon may be declared by the committee, with the previous sanction of the Local Government, to be an appropriate charge on the municipal fund.*

Payment of salary to president out of fund.

73. *With the sanction of the Local Government a salary of such amount as the Local Government may fix may be paid to the president of a committee out of the municipal fund.*

Custody of municipal fund.

74. (*1*) In places where there is a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over, the municipal fund shall be kept in the treasury, sub-treasury or bank.

(*2*) In places where there is no such treasury sub-treasury or bank, the municipal fund may be deposited with any banker, or person acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the *Commissioner* may in each case think sufficient.

Investment of same.

75. (*1*) A committee may, from time to time, with the previous sanction of the *Commissioner*, invest any portion of its municipal fund in securities of the Government of India or such other securities as the Governor General in Council may approve in this behalf, and vary such investments for others of a like nature.

(*2*) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the municipal fund.

Property vested in committee.

76. Subject to any special reservation made by the Local Government, all property of the nature hereinafter *in this section* specified and situated within the municipality shall be vested in and belong to the committee, and shall, with all other property which may become vested in the committee, be under its direction, management and control, and shall be held and applied by it for the purposes of this Act, that is to say:—

(*a*) all public town-walls, gates, markets, slaughter-houses, manure and night-soil depôts and public buildings of every description which have been constructed or are maintained out of the municipal fund;

(*b*) all public streams, springs and works for the supply, storage and distribution of water for public purposes, and all bridges, buildings, engines, materials and things connected therewith or appertaining thereto, and also any adjacent land (not being private property) appertaining to any public tank or well;

(*c*) all public sewers and drains, and all sewers, drains, culverts and water-courses in, alongside or under any street, and all works, materials and things appertaining thereto;

(*d*) all dust, dirt, dung, ashes, refuse, animal-matter or filth or rubbish of any kind, *or dead bodies of animals*, collected by the committee from the streets, houses, privies, sewers, cesspools or elsewhere *or deposited in places fixed by the committee under section 97*;

(*e*) all public lamps, lamp-posts and apparatus connected therewith or appertaining thereto;

(*f*) all land or other property transferred to the committee by the Government or by gift, purchase or otherwise for local public purposes;

(*g*) all streets, and the pavements, stones and other materials thereof, and also all trees, erections, materials, implements and things provided for such streets.

Management of public institutions.

77. (*1*) The management, control and administration of every public institution maintained out of the municipal fund shall vest in the committee:

Provided that the extent of the independent authority of the committee in respect of any such institution may be prescribed by the Local Government.

(*2*) When any public institution is placed under the direction, management and control of the committee, all property, endowments and funds belonging thereto shall be held by the committee in trust for the purposes to which such property, endowments and funds were lawfully applicable at the time when the institution was so placed.

Transfer to Crown of property vesting in committee.

78. The committee may, with the sanction of the Local Government, transfer to Her Majesty any property vesting in the committee under section 76 or section 77, but not so as to affect any trusts or public rights subject to which the property is held.

The Punjab Municipal Bill, 1891.

(*Chapter V.—Municipal Police.—Sections 79-84. Chapter VI.—Powers for Sanitary and other Purposes.—Sections 85-86.*)

CHAPTER V.

MUNICIPAL POLICE

Police-establishment.

79. (*1*) Every committee shall, unless it is relieved of this obligation by the Local Government, maintain a sufficient police-establishment for police requirements within municipal limits and for the performance of the duties imposed on it by this Act.

(*2*) The establishment maintained under sub-section (*1*) shall, as the committee with the approval of the Local Government may, from time to time, determine, be either a body of watchmen or a part of the general police-force under the Local Government within the meaning of section 2 of Act V of 1861, or partly one and partly the other; and it shall consist of such number of officers and men, and the officers and men shall receive such pay, leave-allowances, gratuities and pensions, as the committee may from time to time, after consultation with the *District* Magistrate and the Inspector General of Police, and subject to the final decision of the Local Government, direct.

Relief of committee from police-charges.

80. (*1*) The Local Government may relieve any committee of the whole or part of the cost of the police-establishment, and may enter into a contract with the committee, on such terms as may be agreed on, that, in consideration of such relief, the committee shall pay periodically a sum not exceeding the amount thereof or undertake any services within the municipality to which the municipal fund can properly be applied, and which are estimated to cost not more than the amount of the relief.

(*2*) When a committee is relieved under this section of the whole or part of the cost of the police-establishment which it is required to maintain, the Local Government shall maintain such police-establishment as it considers necessary, and the establishment so maintained may be either a body of watchmen or a part of the general police-force under the Local Government within the meaning of section 2 of Act V of 1861, or partly one and partly the other.

Appointment, liabilities and duties of municipal watchmen.

81. (*1*) If the establishment maintained under this Chapter is wholly or in part a body of watchmen, the watchmen—

(*a*) shall be under the orders of the District Superintendent of Police subject to the general control of the *District* Magistrate;

(*b*) shall be appointed and promoted, and shall be liable to dismissal, suspension, reduction or fine, under such rules as the Local Government may make in this behalf;

(*c*) shall perform such duties as the Local Government may, subject to the provisions of this Act, direct; and

(*d*) shall possess the same powers, be entitled to the same assistance, enjoy the same protection, be subject to the same responsibilities and be liable to the same penalties as if they were police-officers enrolled under Act V of 1861.

arrested without warrant by a police-officer [illegible] by any such watchman.

Duties of municipal police enrolled under Act V of 1861.

82. If the establishment maintained und[illegible] this Chapter or any porti[illegible] thereof is part of the ge[illegible]eral police-force, the Lo[illegible] Government may, notwithstanding anythi[illegible] contained in Act V of 1861 or in any other A[illegible] for the time being in force, define, subject [illegible] the provisions of this Act, the duties which t[illegible] officers and men of the establishment or su[illegible] portion thereof may or may not be required [illegible] perform.

Powers and duties of police in respect of offences against Act and rules, and assistance to municipal authorities.

83. (*1*) Every member of a police-establi[illegible]ment under this Act sha[illegible] give immediate inform[illegible]tion to the committee [illegible] any offence committe[illegible] against this Act or th[illegible] rules made thereunder, and shall be bound t[illegible] assist all members, officers and servants of the committee in the exercise of their lawful autho-rity.

(*2*) Every member of such police-establi[illegible]ment may arrest any person committing in h[illegible] view any offence against this Act or the r[illegible] thereunder—

(*a*) if the name and address of the person [illegible] unknown to him, *and*

(*b*) if the person declines to give his name a[illegible] address or if there is reason to do[illegible] the accuracy of the name and address given.

(*3*) A person arrested under this section m[illegible] be detained until his name and address [illegible] correctly ascertained:

Provided that no person so arrested shall [illegible] detained longer than is necessary for bring[illegible] him before a Magistrate unless the order [illegible] Magistrate for his detention is obtained.

Police-protection at fairs, &c.

84. When special police-protection is, in t[illegible] opinion of the Local G[illegible]ernment, requisite on [illegible] occasion of any fair, ag[illegible]cultural show or industrial exhibition manag[illegible] by a committee, the Local Government m[illegible] provide such protection, and the committ[illegible] shall pay the whole charge thereof or su[illegible] portion of the charge as the Local Govern[illegible]ment may consider equitably debitable to [illegible]

CHAPTER VI.

POWERS FOR SANITARY AND OTHER PURPO[illegible]

Streets and Buildings.

Power to acquire land for building-sites adjoining new streets.

85. When any land is required for a [illegible] street or for the impr[illegible]ment of an existing str[illegible] the committee may proc[illegible] to acquire, in addition [illegible] the land to be occupied by the street, the [illegible] necessary for the sites of the buildings t[illegible] erected on the sides of the street.

Power to close streets.

86. The committee may close temporarily [illegible] street vested in it or [illegible] part thereof for the p[illegible] [illegible] of constru[illegible]

The Punjab Municipal Bill, 1891.

(*Chapter VI.—Powers for Sanitary and other Purposes.—Sections 87-93.*)

may divert, discontinue or permanently close any such street, and sell the land or such part thereof as is not required for the purposes of this Act.

Power to permit temporary occupation of streets, &c.

87. The committee may grant permission in writing for the temporary occupation of any street or land vested in it for the purpose of depositing any building materials or making any temporary excavation therein or erection thereon, subject to such conditions as it may prescribe for the safety or convenience of persons passing by or dwelling or working in the neighbourhood, and may charge fees for such permission, and may at its discretion withdraw the permission.

Power to attach brackets for lamps.

88. The committee may attach to the outside of any building brackets for lamps in such manner as not to occasion any injury thereto or inconvenience.

Names of streets and numbers of buildings.

89. (*1*) The committee may cause a name to be given to any street, and to be affixed on any building in such place as it thinks fit, and may also cause a number to be affixed to any building; and in like manner may, from time to time, cause such names and numbers to be altered.

(*2*) Whoever destroys, pulls down or defaces any such name or number, or puts up any different name or number from that put up by order of the committee, shall be punishable with fine which may extend to twenty rupees.

Roofs and external walls not to be made of inflammable materials.

90. The committee may direct that, within certain limits, to be fixed by it, the roofs and *external* walls of huts or other buildings shall not be made or renewed of grass, mats, leaves or other highly inflammable materials unless with the permission of the committee in writing; and the committee may, by written notice, require any person who has disobeyed any such direction to remove or alter the roofs or walls so made or renewed as it may think fit.

Power to regulate line of buildings.

91. (*1*) If any building or part of a building projects beyond the regular line of a street, either existing or determined on for the future, or beyond the front of the building on either side thereof, the committee may, whenever the building or part has been either entirely or in greater part taken down or burnt down, or has fallen down, by notice require the building or part, when being re-built, to be set back to or towards the said regular line or the front of the adjoining buildings; and the portion of the land added to the street by such setting back or removal shall become part of the street and shall vest in the committee:

Provided that the committee shall make full compensation to the owner for any damage he may sustain in consequence of his building or any part thereof being set back.

(*2*) The committee may, on such terms as it thinks fit, allow any building to be set forward for the improvement of the line of the street.

Notice of new buildings.

92. (*1*) *Any person intending to erect or re-erect any building shall, if required to do so by rule made by the committee in this behalf, give notice in writing of his intention to the committee, and shall obey all written directions consistent with this Act given by the committee within two months after receiving such notice, either prohibiting the erection or re-erection if deemed likely to be injurious to the inhabitants of the neighbourhood, or in respect of all or any of the matters following, namely:—*

(*a*) *free passage or way in front of the building;*

(*b*) *space to be left about the building to secure free circulation of air and facilitate scavenging and for the prevention of fire;*

(*c*) *ventilation, and the provision and position of drains, privies or cesspools;*

(*d*) *level and width of foundation, level of lowest floor and stability of structure; and*

(*e*) *the line of frontage with neighbouring buildings, if the building abuts on a street:*

Provided that the committee shall make full compensation to the owner for any damage which he may sustain in consequence of the prohibition of the re-erection of any building, or of its requiring any land belonging to him to be added to the street.

(*2*) *Any person giving notice to the committee under sub-section* (*1*) *shall, if required to do so by rule made by the committee in this behalf, along with his notice forward a plan and specification of the building which he intends to erect or re-erect of such a character and with such details as the committee may by rule prescribe. No notice under sub-section* (*1*) *shall be valid unless accompanied by such plan and specification as may be required under this sub-section.*

(*3*) *In any case to which sub-section* (*2*) *does not apply the committee may require a person who gives them notice under sub-section* (*1*) *to submit within one week of the receipt of the requisition a sufficient plan and specification of the building which he intends to erect or re-erect with such reasonable details as the committee may prescribe in their requisition.*

(*4*) *If any such building is begun or erected without giving notice, or without submitting a plan and specification as aforesaid when required, or in contravention of the legal orders of the committee issued within two months of receipt of notice under sub-section* (*1*), *the committee may, by notice, require the building to be altered or demolished, as it may deem necessary.*

Power of committee to make rules as to mode of construction of buildings.

93. (*1*) *The committee may at a special meeting make rules to regulate in the erection or re-erection of any building within the municipality—*

(*a*) *the materials and method of construction to be used for external and party walls, roofs, floors, fire-places and chimneys;*

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(*b*) *the position of fire-places, chimneys, drains, privies and cesspools;*

(*c*) *the height and slope of the roof above the uppermost floor upon which human beings are to live or cooking operations are to be carried on;*

(*d*) *the number and height of the storeys of which the building may consist; and*

(*e*) *the means to be provided for egress from the building in case of fire:*

Provided that the committee may by resolution dispense with the observance of any or all of the rules made under this section in regard to the erection or re-erection of any building specified in the resolution.

(2) *If in and during the erection or re-erection of any building any rule under this section is contravened, the committee may by notice require the building to be altered or demolished within the space of thirty days as it may deem necessary:*

Provided that no such notice shall issue in respect of the contravention of any rule of which the observance has been dispensed with under the proviso to sub-section (1).

(3) *This section shall take effect in a municipality only after it has been specially extended thereto by the Local Government at the request of the committee.*

Definition of expression "erect any building."

94. *The expression "erect any building", as used in the two last foregoing sections, includes, among other matters, all additions and alterations which involve new foundations or increased superstructure on existing foundations, or the conversion into a dwelling-house of any building not originally constructed for human habitation, or the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only.*

Removal of projections and obstructions.

95. (1) It shall not be lawful, unless with the written permission of the committee, for the owner or occupier of any building abutting on a street to add to, or place against or in front of, the building any projection or structure overhanging, projecting into or encroaching on the street or into or on any drain, sewer or aqueduct therein.

(2) The committee may, by notice, require the owner or occupier of any building to remove or alter any projection, encroachment or obstruction built or placed against or in front thereof if the same overhangs or projects into or encroaches on any public street, or projects into or encroaches on any drain, aqueduct or sewer in the street:

Provided that, in the case of a projection, encroachment or obstruction being lawfully in existence at the time of the passing of this Act, the committee shall make reasonable compensation to any person who suffers damage by the removal or alteration.

(3) The committee may give written permission to the owners or occupiers of buildings in streets to put up open verandahs, balconies or rooms projecting from any upper storey thereof to an extent beyond the line of the plinth or basement-wall, and at a height from the level

Bathing and Washing Places.

Bathing and washing places.

96. The committee may set apart suitabl[e] places for the purpose [of] bathing, and may specif[y] the times at which, and th[e] sex of the persons by whom, such places ma[y] be used, and may also set apart suitable place[s] for washing animals or clothes, or for any othe[r] purpose connected with the health, cleanlines[s] or comfort of the inhabitants; and may, by pub[-] lic notice, prohibit bathing, or washing animal[s] or clothes, in any public place not so set apart or at times or by persons other than those speci[-] fied, and all other acts not so permitted b[y] which water in public places may be rendere[d] foul or unfit for use.

Deposit of Offensive Matter and Slaughter places.

Removal and deposit of offensive matter.

97. The committee may fix places within or with the approval of the *District Magistrate* beyond the limits of the muni[-] cipality for the deposit of refuse, rubbish o[r] offensive matter of any kind or for the dispos[al] of the dead bodies of animals, and may by pub[-] lic notice give directions as to the time, mann[er] and conditions at, in and under which su[ch] refuse, rubbish or offensive matter or de[ad] bodies of animals may be removed along a[ny] street and deposited at such places.

Places for slaughter of animals *for sale.*

98. (1) The committee may, with the appro[-] val of the *District Mag[is-] trate*, fix and aboli[sh] places either within [or] without the limits of the municipality for t[he] slaughter of animals for sale, or of any specif[ied] description of such animals, and may with t[he] like approval grant and withdraw licenses [for] the use of such places, or, if they belong to t[he] committee, charge rent or fees for the use [of] the same.

(2) When such places are fixed by the co[m-] mittee beyond municipal limits it shall have t[he] same power to make rules for the inspection a[nd] proper regulation of the same as if they w[ere] within those limits.

(3) When any such place has been fixed [no] person shall slaughter any such animal for sa[le] within the municipality at any other place.

(4) Whoever slaughters any such animal [for] sale at any other place within the municipal[ity] shall be punishable with fine which may ext[end] to twenty rupees.

Places for slaughter of animals not for sale.

99. (1) *The committee may make rules [to] fix places within the [mu-] nicipality in which [the] slaughter of animals of [a] particular kind not for sale shall be permit[ted] and to prohibit, except in case of necessity, s[uch] slaughter elsewhere within the municipality:*

Provided that no rules under this section sh[all] apply to animals slaughtered for any religi[ous] purpose.

(2) *This section shall take effect in a muni[ci-] pality only after it has been specially extend[ed]*

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Special provision with respect to disposal of dead bodies of animals.

100. (*1*) *If an animal in charge of any person dies otherwise than by slaughter either for sale or for some religious purpose, the person in charge thereof shall within twenty-four hours—*

(*a*) *convey the carcase to a place (if any) fixed by the committee under section 97 for the disposal of the dead bodies of animals, or*

(*b*) *give notice of the death to the committee, whereupon the committee shall cause the carcase to be disposed of.*

(*2*) *A person bound to act in accordance with sub-section (1) shall, if he fails so to act, be punishable with fine which may extend to ten rupees.*

(*3*) *In respect of the disposal of the dead body of an animal under clause (b) of sub-section (1) the committee may charge such fee as the committee, with the sanction of the Commissioner, may, by rule, have prescribed.*

Burial and Burning Places.

Powers in respect of burial and burning places.

101. (*1*) The committee may, by public notice, order any burial or burning ground which is, in its opinion, dangerous to the health of persons living in the neighbourhood, to be closed, from a date to be specified in the notice, and shall, in such case, if no suitable place for burial or burning exists within a reasonable distance, provide a fitting place for the purpose.

(*2*) Private burial-places in such burial-grounds may be excepted from the notice, subject to such conditions as the committee may impose in this behalf:

Provided that the limits of such burial-places are sufficiently defined, and that they shall only be used for the burial of members of the family of the owners thereof.

(*3*) No burial or burning ground, whether public or private, shall be made or formed, after the passing of this Act, without the permission in writing of the committee.

(*4*) If any person buries or burns, or causes or permits to be buried or burnt, any corpse in any burial or burning ground made or formed contrary to the provisions of this section, or after the date fixed thereunder for closing the same, he shall be punishable with fine which may extend to fifty rupees.

Removal of corpses.

102. The committee may, by public notice, prescribe routes for the removal of corpses to burial or burning places.

Inflammable Materials.

Inflammable materials.

103. The committee may, where it appears to it to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting *wood*, dry grass, straw or other inflammable materials, or placing mats or thatched huts or lighting fires in any place or within any limits specified in the notice.

Prohibitions for prevention of fire.

104. *In any municipality to which section 93 has been specially extended by the Local Government the committee may by public notice prohibit the lighting of fires in the top storey of any building or the placing in positions which the committee deems to be dangerous to the public safety of stands for lamps and candles.*

Prohibition of excessive storage of petroleum.

105. *The committee may, by public notice, prohibit the storage of more than a fixed maximum quantity of petroleum, explosive, spirit, naphtha or other inflammable material in any building not licensed under section 135.*

Powers of Entry and Inspection.

Inspection of drains, privies and cesspools.

106. (*1*) The committee, by any person authorized by it in this behalf, may, *between sunrise and sunset, enter into any building or upon any land, and* inspect any drains, privies *or* cesspools *therein or thereon*, and may cause the ground to be opened where *such person as aforesaid* may think fit for the purpose of preventing or removing any nuisance arising from the drains, privies or cesspools.

(*2*) If, on such inspection, it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner or occupier of the land or building; but if it is found that no nuisance exists, or but for such opening would have arisen, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be borne by the committee.

(*3*) *Entry into a building other than a latrine shall not be made under this section until six hours' notice in writing has been given to the occupier of the building by the committee or by the person authorised by the committee to make the entry.*

Power to enter and inspect buildings.

107. (*1*) The committee, by any person authorized by it in this behalf, may, after giving twenty-four hours' notice to the occupier, or, if there is no occupier to the owner, of any building, at any time between sunrise and sunset enter and inspect the building, and may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

(*2*) *In this section the word "building" means either a building or a part of a building.*

(*3*) *If the building to be inspected is a stable for horses or a house or shed for cows or other cattle, previous notice shall not be requisite before inspection.*

Other powers of entry on buildings or land.

108. The committee, by any person authorised by it in this behalf, after giving twenty-four hours' notice to the occupier, or, if there is no occupier, to the owner, of any building or land, *may* at any time between sunrise and sunset—

(*a*) enter on and survey and take levels of any land;

(*b*) enter, inspect and measure any building for the purpose of valuation;

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(c) enter into any building or on any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains or of executing or repairing any work which it is by this Act empowered to execute or maintain.

Power to enter for discovery of vehicles or animals liable to taxation.

109. The committee, by any person authorised by it in this behalf, may, at any time between sunrise and sunset, enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Act for which a license has not been duly taken out.

Power to inspect places for sale of food or drink, &c., and to seize unwholesome articles exposed for sale.

110. The committee, by any person authorised by it in this behalf, may at all reasonable times enter into and inspect any market, building, shop, stall or place used for the sale of food or drink for man, or as a slaughter-house, or for the sale of drugs, and inspect and examine any food or drink, animal or drug which may be therein; and, if any article of food or drink or any animal therein appears to be intended for the consumption of man and to be unfit therefor, may seize and remove the same, or may cause it to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for such consumption;

and, in case any drug is reasonably suspected to be adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious, may remove the same, giving a receipt therefor, and may cause it to be brought before a Magistrate for enquiry whether any offence has been committed in respect thereof, and for his orders as to its disposal.

House-scavenging.

Undertaking by committee of house-scavenging generally.

111. *(1) The removal of filth, rubbish, ordure or other offensive matter from a privy, cesspool or other common receptacle for such matter in or pertaining to a house or building is called house-scavenging.*

(2) The committee may, by public notice, undertake the house-scavenging of any houses or buildings in the municipality from any date not less than sixty days after issue of the notice.

(3) The occupier of any house or building affected by the notice may at any time after the issue thereof apply to the committee to exclude that house or building from the notice.

(4) The committee shall consider and pass orders upon every such application within forty days of the receipt thereof, and, if the decision of the committee upon the application is that the house or building be excluded from the notice, the notice shall cease to apply to such house or building.

(5) In deciding whether to exclude any house or building from the notice the committee shall consider, among other matters, the efficiency of the arrangements for house-scavenging made by the occupier (if any) and the purpose to which he applies the matter dealt with in house-scavenging.

Savings in favour of customary sweepers and of agriculturists.

112. *Notwithstanding anything in the la[st] foregoing section, the com[mittee] shall not, except in accordance with the provi[sions] of this Chapter,—*

(a) undertake the house-scavenging of any house or building if any sweeper has customary right to do such house-scavenging;

(b) otherwise than on the application or with the consent of the occupier, undertake the house-scavenging of any house or building occupied by an agriculturist who himself cultivates land within municipal limits or in a village conterminous therewith.

Undertaking by committee of house-scavenging on application or with consent.

113. *Subject to the provisions of the last foregoing section with respect to the customary rights of sweepers, the committee may at any time undertake the house-scavenging of any house or building on the application of or with the consent of the occupier.*

Continuance of house-scavenging once undertaken by committee.

114. *When once the committee has undertaken the house-scavenging of any house or building under this Chapter, it may continue to perform such house-scavenging with or without the consent of the person who for the time being occupies such house or building.*

Obligation of committee to perform house-scavenging properly.

115. *When the committee has undertaken the house-scavenging of any house or building it shall be bound to perform the same properly unless it has relieved itself of the obligation by an order under section 111, sub-section (4).*

Powers of municipal servants for house-scavenging purposes.

116. *The servants of the committee employed in house-scavenging may at all reasonable times do all things necessary for the proper performance of any house-scavenging undertaken by the committee.*

Vesting in committee of collections from house-scavenging.

117. *All matter removed by the servants of the committee in the course of house-scavenging shall belong to the committee.*

Punishment of customary sweepers for negligence.

118. *(1) If a sweeper who has a customary right to do the house-scavenging of a house or building (hereinafter called the customary sweeper) fails to perform such house-scavenging in a proper way and at reasonable intervals, the occupier of the house or building or the committee may complain to a Magistrate.*

(2) The Magistrate receiving such complaint shall hold an enquiry, and, if it appears to him that the customary sweeper has failed to perform the house-scavenging of the house or building in a proper way or at reasonable intervals, he may impose upon such customary sweeper a fine which may extend to ten rupees, and, if the customary sweeper has already been fined under this section in regard to the house-scavenging of the same house or building, the Magistrate may also direct the right of the customary sweeper to do the house-scavenging

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(3) *If such a direction is given, the right shall be forfeited accordingly unless the order of the Magistrate is cancelled on appeal or revision.*

Punishment of agriculturists for negligence.

119. (*1*) *If an agriculturist who himself cultivates land within municipal limits or in a village conterminous therewith fails to provide for the proper house-scavenging of any house or building occupied by him, the committee may complain to a Magistrate.*

(2) *The Magistrate receiving the complaint shall hold an enquiry, and, if it appears to him that the agriculturist has not provided for the proper house-scavenging of the house or building, he may pass an order empowering the committee to undertake the same.*

(3) *On issue of such an order the committee shall be entitled to undertake such house-scavenging.*

Search for inflammable or explosive material in excess of authorized quantity.

Search for inflammable or explosive material in excess of authorised quantity.

120. (*1*) *The committee may at any reasonable time, by any person authorized by it in writing in this behalf, enter upon and inspect any house or building which is suspected to contain petroleum, explosive or other inflammable material, in excess of the quantity permitted to be kept in such house or building under the provisions of this Act or of any rule or public notice made or published thereunder.*

(2) *If the person making an inspection under this section discovers any such excess quantity of such material, he may seize such excess and hold it subject to such order as a Magistrate, upon the application of such person, may pass with respect to it.*

(3) *If the Magistrate decides that the material seized was stored in the house or building contrary to the provisions of this Act or of any rule or public notice made or published thereunder, he shall pass an order confiscating the same, and his order shall not be open to appeal.*

(4) *An order of confiscation under this section shall not operate to prevent any other criminal or civil proceedings to which the person storing the material in excessive quantity may be liable.*

Water-pipes, Privies and Drains.

Troughs and pipes for rain-water.

121. The committee may, by notice, require the owner of any building *or land* in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the *building or land* and for discharging the same so as not to inconvenience persons passing along the street.

Provision of privies *and the like.*

122. (*1*) The committee may, by notice, require the owner of any building *or land* to *close or remove, or* provide, any *drain*, privy, cesspool *or other receptacle for filth*, or *to provide any* additional *drains*, privies, cesspools *or other receptacles as aforesaid* which should in its opinion be provided for the building *or land*, in such manner as the committee directs.

(2) The committee may, by notice, require any persons employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleaned.

(3) The committee may, by notice, require the owner or occupier of any building or land to have any privy provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or to remove or alter, as the committee directs, any door or trapdoor of a privy opening on to any street or drain.

Repair and closing of drains, privies and cesspools.

123. (*1*) The committee may, by notice, require the owner or occupier of any building or land to repair or alter and put in good order any drain, privy or cesspool, or to close any cesspool belonging thereto.

(2) The committee may by notice, require any person who constructs any new drain, privy or cesspool without its permission in writing or contrary to its directions or regulations or to the provisions of this Act, or who constructs, rebuilds or opens any drain, privy or cesspool which it has ordered to be demolished or stopped up or not to be made, to demolish the drain, privy or cesspool, or to make such alteration therein as it thinks fit.

Unauthorized buildings over drains, &c.

124. The committee may, by notice, require any person who without its permission in writing newly erects or rebuilds any building over any sewer, drain, culvert, watercourse or water-pipe vested in the committee to pull down or otherwise deal with the same as it thinks fit.

Removal of latrines, &c., near any source of water-supply.

125. The committee may, by notice, require any owner or occupier on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, to remove or close the same within one week.

Power to require *removal of nuisance arising from* tanks *and the like.*

126. The committee may, by notice, require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private well, tank, reservoir, pool, *depression* or excavation therein, which appears to the committee to be injurious to health or offensive to the neighbourhood :

Provided that, if for the purpose of effecting any drainage under this section it is necessary to acquire any land not belonging to the person who is required to drain his land or to pay compensation to any other person, the committee shall provide the land or pay the compensation.

Dangerous Buildings and Places.

Power to require buildings, wells, tanks, &c., to be secured.

127. If any building, or any well, tank, *reservoir, pool, depression* or excavation is, for want of sufficient repair, protection or enclosure, dangerous to persons passing by or dwelling or working in the neighbourhood, the committee may, by notice, require the

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owner or occupier thereof to repair, protect or enclose the same; and, if it appears to it to be necessary in order to prevent imminent danger, it shall forthwith take such steps as are necessary to avert the danger.

Building, &c., in ruinous or dangerous state.

128. If any building, wall, structure or anything affixed thereto is deemed by the committee to be in a ruinous state or in any way dangerous, it may, by notice, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to the building, wall or structure as the committee considers necessary for the public safety; and, if it appears to it to be necessary in order to prevent imminent danger, the committee shall forthwith take such steps as are necessary to avert the danger.

Buildings and Grounds in Unsanitary Condition.

Power to require owner to clear away noxious vegetation.

129. The committee may, by notice, require the owner or occupier of any land to clear away and remove any thick vegetation or undergrowth which appears to the committee to be injurious to health or offensive to the neighbourhood.

Power to *require* hedges and trees *to be trimmed.*

130. The committee may, by notice, require the owner or occupier of any land within three days to cut or trim the hedges thereof bordering on any street, or branches of trees growing thereon which overhang any street and obstruct the same or cause danger thereto, or which so overhang any well, tank or other source from which water is derived for public use as to be likely to pollute the water thereof.

Cleansing of filthy buildings or land.

131. If the owner or occupier of any building or land suffers the same to be in a filthy or unwholesome state, the committee may, by notice, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

Power to prohibit use for human habitation of buildings unfit for such use.

132. If any building *or any part of any building* appears to the committee to be unfit for human habitation in consequence of the want of proper means of drainage or ventilation or other sufficient reason, the committee may, by notice, prohibit the owner or occupier thereof from using the same for human habitation or suffering it to be so used, until the committee is satisfied that it has been rendered fit for such use.

Power to require untenanted buildings becoming a nuisance to be secured or enclosed.

133. The committee may, by notice, require the owner *or part-owner*, or person claming to be the owner *or part-owner*, of any building or land which, by reason of abandonment or disputed ownership or other cause, remains untenanted and thereby becomes a resort of idle and disorderly ...

Cultivation, use of manure or irrigation, injurious to health, after prohibition.

134. (*1*) The Local Government may, on the report of the Sanitary Commissioner *or of the Civil Surgeon* that the cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within the limits of any municipality is injurious to the health of persons dwelling in the neighbourhood, by notification prohibit the cultivation of the crop, the use of the manure or the irrigation so reported to be injurious, or regulate it by imposing such conditions thereon as may prevent the injury:

Provided that when on any land to which the notification applies that description of crop has been cultivated, that kind of manure has been used, or irrigation has been practised in that manner during the five years preceding the notification with such continuity as the ordinary course of husbandry admits of, compensation shall be paid from the municipal fund to all persons interested in that land for any damage caused to them by the prohibition or regulation.

(*2*) If any person cultivates, uses manure or irrigates in disregard of the prohibition or conditions notified under sub-section (*1*), he shall be punishable with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the first during which the offence is continued.

Offensive and Dangerous Trades.

Regulation of offensive and dangerous trades.

135. (*1*) The owner or occupier of every place within the municipality used for any of the following purposes, namely:—

melting tallow;

boiling bones, offal or blood; or

as a soap-house, oil-boiling house, dyeing-house or tannery; or,

as a brickkiln, pottery or limekiln; or

as any other manufactory or place of business from which offensive or unwholesome smells arise; or

as a yard or depôt for trade in hay, straw, thatching-grass, wood or coal, or other dangerously inflammable material; or

as a store-house for petroleum *or any explosive or spirit, or for* naphtha or any inflammable oil;

shall register the same in a book to be kept by the committee for the purpose.

(*2*) No place shall be newly used for any of the said purposes except under a license from the committee, which shall be renewable annually.

(*3*) The license shall not be withheld unless the committee considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in, or frequenting, the immediate neighbourhood.

(*4*) The committee may charge fees for such licenses, and may impose such conditions in respect thereof as it may think necessary.

(*5*) Whoever, without such registration or ... place for any such ...

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fine not exceeding ten rupees for every day during which the offence is continued after he has been convicted of such offence.

(6) *The owner or occupier of any place registered under sub-section (1) may, for the avoidance of the effect of a prohibition under section 105 or for any other purpose, apply to have that place licensed under this section. The provisions of sub-sections (3) and (4) shall apply to such an application, and if the license is granted the registration of the place shall thereby be cancelled and shall not be renewed.*

Power to prohibit such trades.

136. (1) If it is shown to the satisfaction of the committee that any place registered or licensed under the last preceding section is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, it may, by notice, require the occupier thereof to discontinue the use of the place, or to use it in such manner as will, in the opinion of the committee, render it no longer a nuisance or dangerous.

(2) Whoever, after such notice has been given, uses the place or permits it to be used in such a manner as to be a nuisance to the neighbourhood or dangerous, shall be punishable with fine which may extend to two hundred rupees and with further fine not exceeding forty rupees for every day during which the offence is continued after he has been convicted of such offence.

Regulation of manufacture, preparation and sale of food and drink.

Power for committee to regulate manufacture, preparation and sale of food and drink.

137. (1) *The committee may, from time to time, at a special meeting, make rules—*

(a) *to prohibit the manufacture or preparation for sale of any specified articles of food or drink in any premises not licensed by the committee;*

(b) *to regulate the grant and withdrawal of licenses to premises for the manufacture or preparation for sale of such specified articles of food or drink;*

(c) *to regulate the hours and manner of transport within the municipality of any specified articles of food or drink;*

(d) *to fix the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale:*

Provided that if, when rules are made under this section, any person is carrying on the manufacture or preparation for sale or the sale of any article of food or drink in premises in which such manufacture or preparation for sale, or such sale, is not permissible under such rules, then such person shall not be punishable for breach of such rules until he has received from the committee six months' notice in writing to discontinue such manufacture or preparation for sale, or such sale, in such premises.

(2) *This section shall take effect in a municipality only after it has been specially extended thereto by the Local Government at the request of the committee.*

Dangerous Animals.

Destruction of mad dogs.

138. (1) *A committee, by any person authorised by it in this behalf, may destroy or cause to be destroyed any dog suffering from rabies or suspected to be suffering from rabies.*

(2) *No damages shall be payable in respect of a dog destroyed under this section.*

Muzzling of dogs.

139. *With the previous sanction of the Local Government, a committee may, by public notice, require all dogs in streets to be muzzled during any period not exceeding six months.*

Restraint of Infection.

Information to be given of cholera or small-pox.

140. *Whoever—*

(a) *being a medical practitioner or a person openly and constantly practising the medical profession and becoming cognizant of the existence of cholera or small-pox in any private or in any public dwelling other than a public hospital, or, in default of such medical practitioner or person practising the medical profession,*

(b) *being the owner, grantee or occupier of such private or public dwelling, as the case may be, and being cognizant of the existence of cholera or small-pox therein, or in default of such owner, grantee or occupier,*

(c) *being the person in charge of or in attendance on any person suffering from cholera or small-pox in such private or public dwelling, and being cognizant of the existence of the disease therein,*

fails by himself or by any inmate of such dwelling as aforesaid, or by a servant or other person, to give information or gives false information to the committee, or to some person appointed by the committee in this behalf, respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees:

Provided that, if a person is not required to give information in the first instance, but only in default of some other person, he shall not be punishable if it is shown that he had reasonable cause to suppose that the information had been duly given.

Removal to hospital of cholera and small-pox patients.

141. *If a person is suffering from cholera or small-pox, and*

(a) *is without proper lodging or accommodation, or*

(b) *is living in a sarai or other public hostel, or*

(c) *is living in a room or house which he neither owns nor pays rent for, or*

(d) *is lodged in premises occupied by two or more families, and any member of either or any of those families objects to his continuing to lodge in such premises,*

the committee, by any person authorised by it in this behalf, may, on the advice of any medical officer of rank not inferior to that of an Assistant Surgeon, remove the patient to any hospital or place at which persons suffering from

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such disease are received for medical treatment, and may do anything necessary for such removal.

Prohibition by committee of use of unwholesome water.

142. *If the committee considers that the water in any well, tank or other place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, it may by public notice prohibit the removal or use of such water for drinking.*

Application of the two last foregoing sections.

143. *Neither of the two last foregoing sections shall take effect in a municipality until it has been specially extended thereto by the Local Government at the request of the committee.*

Power to make Rules.

Power to make rules.

144. (*1*) A committee may, from time to time, at a special meeting, make rules—

(*a*) for rendering licenses necessary for the proprietors or drivers of vehicles, boats or animals plying for hire within the limits of the municipality, and fixing the fees payable for such licenses and the conditions on which they are to be granted and may be revoked;

(*b*) for limiting the rates which may be demanded for the hire of any carriage, cart, boat or other conveyance, or of animals hired to carry loads, or for the services of persons hired to carry loads, and the loads to be carried by such conveyances, animals or persons, where they are hired within the municipality for a period not exceeding twenty-four hours or for a service which would ordinarily be performed within twenty-four hours:

(*c*) for securing a proper registation of births, marriages and deaths, and for the taking of a census;

(*d*) for fixing, and from time to time varying, the number of persons who may occupy a building or part of a building which is let in lodgings or occupied by members of more than one family;

for the registration and inspection of such buildings;

for promoting cleanliness and ventilation in such buildings;

for the notices to be given and the precautions to be taken in the case of any infectious disease breaking out in such buildings;

and generally for the proper regulation of such buildings;

(*e*) for the inspection and proper regulation of encamping-grounds, pounds, sarais, markets and slaughter-houses;

(*f*) for the holding of fairs and industrial exhibitions within the municipality *or* under *the* control *of the committee, and for fixing fees to be levied thereat;*

(*g*) for controlling and regulating the use and management of burial and burning grounds;

(*h*) for the supervision and regulation of public wells, tanks, springs or other sources from which water is or may be made available for public ...

(*i*) where the collection of an octroi-tax has been sanctioned, for fixing octroi-limits for the purpose of collecting that tax;

(*j*) *as to the exhibition of tables of octroi-tax, as to the system under which refunds are to be made on account of that tax when the animals or goods on which the tax has been paid are again exported, and as to the custody or storage of animals or goods declared not to be intended for use or consumption within the municipality into which they are brought;*

(*k*) *as to the exhibition of tables showing the rates of tolls chargeable on vehicles and animals entering the municipality;*

(*l*) *as to the assessment and collection of any tax imposed under this Act and the fees payable in respect of notices of demand;*

(*m*) *as to the appointment by owners of buildings and lands in the municipality who are absent from the municipality of persons residing within or near the municipality to act as their agents for all or any of the purposes of this Act or any rule thereunder; and*

(*n*) *generally*, for carrying out the purposes of this Act:

Provided that the committee of a municipality in which the Hackney Carriage Act, 1879, is in force shall not make rules under clause (*a*) or *clause* (*b*) in respect of any vehicles to which that Act applies.

(*2*) *Rules under clause* (*j*) *of sub-section* (*1*) *may, among other matters, provide that no refund of octroi-tax shall be made when the refund claimable would be less than one rupee.*

(*3*) When *a cantonment authority*, with the sanction of the *Governor General in Council, has* agreed with the committee of an adjoining municipality that the same octroi-limits shall be established for the cantonment and the municipality, and that octroi-collections and charges shall be divided between the cantonment fund and the municipal fund, the committee may fix limits under clause (*i*) of sub-section (*1*) so as to include so much both of the cantonment and of the municipal area as it may deem necessary, and shall have the same powers of collecting octroi on animals or goods brought within such limits, and the provisions of this Act relating to octroi shall apply in the same way, as if the said limits were wholly comprised in the area of the municipality.

Additional power to make rules in hill municipalities.

145. The committee of a municipality wholly or in part situated in a hilly tract may, from time to time, at a special meeting, make rules—

(*a*) for regulating or prohibiting the cutting or destroying of trees or shrubs, or the making of excavations or removal of soil or quarrying, where such regulation or prohibition appears *to the committee to be* necessary for the maintenance of a water-supply, the preservation of the soil, the prevention of land-slips or of the formation of ravines or torrents, or the protection of land against erosion or the deposit thereon of sand, gravel

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(b) for the regulation or prohibition of any description of traffic in the streets where such regulation or prohibition appears *to the committee to be* necessary for the prevention of danger or grave inconvenience to the public;

(c) *for requiring owners of houses to provide cisterns for the preservation of rain-water;*

(d) *for rendering licenses necessary for using premises within the bazars of a municipality as stables or cow-houses;*

(e) *for rendering licenses necessary within the municipality—*

for persons working as casual porters for the conveyance of goods,
for animals or carriages let out on hire for a day or part thereof, and
for persons impelling or carrying such carriages;

(f) *for fixing the fees payable for such licenses as are referred to in this section, and the conditions on which such licenses are to be granted and may be revoked; and*

(g) *for regulating the charges to be made for the services of such casual porters as aforesaid, and for the hire of such animals or carriages, and for the remuneration of persons who impel or carry such carriages.*

Penalty for infringement of rule.

146. (1) In making any rule under *any* section *of this Chapter* the committee may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.

(2) In lieu of or in addition to such fine, the Magistrate may require the offender to remedy the mischief so far as within his power.

Confirmation of rules.

147. (1) No rule made under *any* section *of this Chapter* shall come into force until it has been confirmed by the Local Government and published for such time and in such manner as the Local Government may prescribe in this behalf.

(2) *The Local Government may cancel its confirmation of any such rule, and thereupon the rule shall cease to have effect.*

Supplemental.

Execution of acts required to be done by any notice.

148. (1) When any notice under this Chapter requires any act to be done for which no time is fixed by this Act, it shall fix a reasonable time for doing the same.

(2) When the owner or occupier of any land or building fails to comply with the terms of any notice under this Chapter requiring him to do any act upon that land or building, the committee may, after six hours' notice, by its officers, cause the act to be done.

Recovery of costs of execution.

149. (1) Where, under this Act, the owner or occupier of property is required by the committee to execute any work and makes default in complying with the requirement, and the committee executes the work, the committee may recover the cost of the work from the person in default.

(2) If the person in default is the owner, the committee may, by way of additional remedy, recover the whole or any part of the cost from the occupier, and in such case the occupier may deduct any sum paid by him under this sub-section from the rent from time to time becoming due from him to the owner of the property in respect of which the payment is made, or otherwise recover it from the owner:

(3) Provided that an occupier shall not be required to pay, under the last sub-section, any sum greater than the amount of rent which is for the time being due from him to the owner, or which, after demand for payment of the money payable by him to the committee and notice not to pay rent without first deducting the amount so demanded, becomes payable by him to the owner, unless he refuses on application to him by the committee truly to disclose the amount of his rent and the name and address of the person to whom it is payable; but the burden of proof that the sum so demanded by the committee from the occupier exceeds the rent due at the time of the demand, or which has since accrued due, shall lie on the occupier.

(4) All money recoverable by a committee under this section may be recovered either by suit, or on application to a Magistrate having jurisdiction within the municipality by distress and sale of the moveable property of the person from whom the money is recoverable, and if payable by the owner of property shall, until it is paid, be a charge on the property.

(5) Nothing in this section shall affect any contract between an owner and an occupier.

Compensation out of municipal fund.

150. (1) The committee may make compensation out of the municipal fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the committee, its officers and servants, under this Act, and shall make such compensation where the person sustaining the damage was not himself in default in the matter in respect of which the power was exercised.

(2) If any dispute arises touching the amount of any compensation which the committee is required by this Act to pay for injury to any building or land, it shall be settled in such manner as the parties may agree, or, in default of agreement, in the manner provided by the Land Acquisition Act, 1870, sections 3, 8 to 42, 51 to 53, and 56 to 59, so far as they can be made applicable. X of 1870.

Appeals from orders of committee.

151. (1) *Any person aggrieved—*

(a) *by the prohibition by a committee under section 92 of the erection or re-erection of a building, or*

(b) *by a notice from a committee under sub-section (4) of section 92 or sub-section (2) of section 93 requiring the alteration or demolition of a building, or*

(c) *by any order made by a committee under the powers conferred upon it by section 101, 132 or 136,*

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may appeal within thirty days from the date of such prohibition, notice or order to the Commissioner if the committee is a committee of a first class municipality, or to the District Magistrate, or such other officer as the Local Government may appoint in this behalf, if the committee is a committee of a second class municipality; and no such prohibition, notice or order shall be liable to be called in question otherwise than by such appeal:

Provided that, if, in the latter case, the District Magistrate or such other officer as aforesaid is himself a member of the committee, the appeal shall lie to the Commissioner.

(2) *The appellate authority may for sufficient cause extend the period allowed by sub-section (1) for appeal.*

(3) *The order of the appellate authority confirming, setting aside or modifying the prohibition, notice or order appealed from shall be final:*

Provided that the prohibition, notice or order shall not be modified or set aside until the appellant and the committee have had reasonable opportunity of being heard.

CHAPTER VII.

OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

Depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.

152. Whoever, without the permission of the committee or in disregard of its orders, throws or deposits, or permits his servants or members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind, upon any street or place, or into any public sewer or drain or any drain communicating therewith, shall be punishable with fine which may extend to twenty rupees.

Discharging sewage.

153. Whoever, without the permission of the committee, causes or allows the water of any sink, sewer or cesspool, or any other offensive matter, to flow, drain or be put upon any street or place, or into any sewer or drain not set apart for the purpose, shall be punishable with fine which may extend to twenty rupees.

Failure to remove offensive matter.

154. Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive matter in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall be punishable with fine which may extend to fifty rupees.

Making or altering drains without authority.

155. Whoever, without the permission of the committee, makes or causes to be made, or alters or causes to be altered, any drain leading into any of the sewers or drain vested in the committee, shall be punishable with fine which

Penalty for making or keeping latrines, &c., near any source of water-supply.

156. Whoever makes without the permission of the committee, or keeps for a longer time than one week after notice under section 125, any drain, latrine, urinal, cesspool or other receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, shall be punishable with fine which may extend to twenty rupees, and, when a notice has issued, with a further fine not exceeding five rupees for each day during which the offence is continued after the lapse of the period allowed for removal.

Keeping animals so as to be injurious to health.

157. Whoever keeps any swine in disregard of any orders which the committee may give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to *the health of human beings or of animals or so* as to become a nuisance, shall be punishable with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day after the first during which the offence is continued.

Feeding animals on deleterious substances.

158. Whoever feeds or allows to be fed any animal which is kept for dairy purposes or may be used for food on deleterious substances, filth or refuse of any kind, shall be punishable with fine which may extend to fifty rupees.

Driving vehicles without proper lights.

159. Whoever drives any vehicle after dark in any street at more than a walking pace, unless the vehicle is properly supplied with lights or there is sufficient moonlight to render lights unnecessary, shall be punishable with fine which may extend to twenty rupees.

Discharging fire-arms, &c.

160. Whoever discharges fire-arms or lets off fire-works or fire-balloons, or engages in any game, in such a manner as to cause or be likely to cause danger to persons passing by or dwelling or working in the neighbourhood, or risk of injury to property, shall be punishable with fine which may extend to twenty rupees.

Control of elephants or camels.

161. Whoever, being an elephant-driver or camel-driver, omits on being requested to do so to remove his elephant or camel to a safe distance on the approach of a horse, whether ridden or driven, shall be punishable with fine which may extend to twenty rupees.

Taking elephants along public roads.

162. Whoever, contrary to any orders of the committee, takes an elephant along a street shall be punishable with fine which may extend to twenty rupees.

Suffering dogs to be at large.

163. Whoever, being the owner or person in charge of any dog which is likely to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street shall be punish-

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(Chapter VII.—Offences affecting the Public Health, Safety or Convenience.—Sections 164-170. Chapter VIII.—Extinction and Prevention of Fire.—Sections 171-174.)

Altering, obstructing or encroaching upon streets.

164. Whoever, without the permission of the committee, alters, obstructs or encroaches upon any street, sewer, drain or water-course, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street, or deposits building-materials or makes any hole or excavation on or in any street, *or removes material from beneath any street so as to occasion risk of surface subsidence*, shall be punishable with fine which may extend to fifty rupees.

Quarrying, blasting, cutting timber or building.

165. Whoever quarries, blasts, cuts timber or carries on building-operations in such a manner as to cause, or be likely to cause, danger to persons passing by or dwelling or working in the neighbourhood, shall be punishable with fine which may extend to fifty rupees.

Picketing animals and collecting carts.

166. Whoever, contrary to the orders of the committee, pickets animals or collects carts on any public ground, or uses any such ground as a halting-place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray, shall be punishable with fine which may extend to twenty rupees.

Carrying corpses by prohibited routes or so as to cause annoyance.

167. Whoever carries a corpse along a route prohibited by the committee, or in a manner likely to cause annoyance to the public, shall be punishable with fine which may extend to ten rupees.

Destroying direction-posts, lamp-posts, &c.

168. Whoever, without being authorised by the committee, defaces or disturbs any direction-post or lamp-post, or extinguishes any light in any public place, shall be punishable with fine which may extend to ten rupees.

Penalty for disobedience of orders of committee under last Chapter.

169. Whoever disobeys any lawful directions given by the committee by public notice under the powers conferred upon it by the last *foregoing* Chapter, or any written notice lawfully issued by it under the powers so conferred, or fails to comply with the conditions subject to which any permission was given by the committee to him under those powers, shall, if the disobedience or omission is not an offence punishable under any other section, be punishable with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues:

Provided that, when the notice fixes a time within which a certain act is to be done and no time is specified in this Act, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Act.

Prosecution to be suspended in certain cases.

170. Any prosecution for an offence under section *101* or section *136*, or under section *169*, when the order which has been disobeyed is appealable, shall be suspended when the Magistrate learns that an appeal has been instituted pending the decision of the appeal; and, if the order is set aside on appeal, disobedience thereto shall not be deemed an offence against those sections.

CHAPTER VIII.

EXTINCTION AND PREVENTION OF FIRE.

Establishment and maintenance of fire-brigade.

171. *For the prevention and extinction of fire the committee may establish and maintain a fire-brigade and may provide any implements, machinery or means of communicating intelligence which the committee may think necessary for the efficient discharge of their duties by the brigade.*

Power of fire-brigade and other persons for suppression of fires.

172. (*1*) *On the occasion of a fire in a municipality any Magistrate, any member of the committee, any member of a fire-brigade maintained by the committee then and there directing the operations of men belonging to the brigade, and (if directed so to do by a Magistrate or by a member of the committee) any Police-officer above the rank of constable may—*

(*a*) *remove or order the removal of any persons who by their presence interfere with or impede the operations for extinguishing the fire or for saving life or property, and may close any street or passage in or near which any fire is burning;*

(*b*) *by himself or those acting under his orders break into or through, or pull down, or use for the passage of hoses or other appliances, any premises for the purpose of extinguishing the fire;*

(*c*) *cause mains and pipes to be shut off so as to give greater pressure of water in the place where the fire has occurred;*

(*d*) *call on the persons in charge of any fire-engine to render such assistance as may be possible; and,*

(*e*) *generally, take such measures as may appear necessary for the preservation of life and property.*

(*2*) *No person shall be liable to pay damages for any act done by him under sub-section (1) if the act is done in good faith.*

(*3*) *Any damage done in the exercise of a power conferred or a duty imposed by this section shall be deemed to be damage by fire within the meaning of any policy of insurance against fire.*

Power for Local Government to make rules under this Chapter.

173. *The powers conferred by the last foregoing section shall be subject to any regulations, conditions or restrictions which may be imposed by the Local Government by rule under section 183.*

Limitation of operation of Chapter.

174. *No portion of this Chapter shall take effect in a municipality until it has been specially extended thereto by the Local Government at the request of the committee.*

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(*Chapter IX.—Control.—Sections 175-181.*)

CHAPTER IX.

CONTROL.

Control by Commissioner and *District Magistrate*.

175. (*1*) The Commissioner of the division or the *District Magistrate* may—

(*a*) enter on, inspect and survey, or cause to be entered on, inspected and surveyed, any immoveable property within the limits of the division or district respectively occupied by any committee or joint committee, or any work in progress within those limits under its directions;

(*b*) by order in writing call for and inspect any book or document in the possession or under the control of any committee or joint committee having authority within the said limits;

(*c*) by order in writing require any such committee or joint committee to furnish such statements, accounts, reports and copies of documents relating to the proceedings or duties of the committee as he may think fit to call for; and

(*d*) record in writing, for the consideration of any such committee or joint committee, any observations he may think proper in regard to the proceedings or duties of the committee.

(*2*) Every committee shall submit such periodical reports to the *District Magistrate* or other authority as the Local Government may direct.

Power to suspend action of committee.

176. The Commissioner of the division or the *District Magistrate* may, by order in writing, suspend, within the division or district respectively, the execution of any resolution or order of a committee or joint committee, or prohibit the doing of any act within the said limits which is about to be done, or is being done, in pursuance of or under cover of this Act, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of the act, is likely to lead to a breach of the peace, or to cause injury or annoyance to the public or to any class or body or persons.

Extraordinary powers of *District Magistrate* in case of emergency.

177. (*1*) In cases of emergency the *District Magistrate* may provide for the execution of any work, or the doing of any act, which a committee is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or of doing the act shall be forthwith paid by the committee.

(*2*) If the expense is not so paid, the *District Magistrate* may make an order directing the person having the custody of the balance of the municipal fund to pay the expense, or so much thereof as is, from time to time, possible from that balance, in priority to all other charges against the same.

Power to provide for performance of duties

178. (*1*) When the Commissioner, after due enquiry, is satisfied that a committee of the first class upon it by or under this Act, he may, by an order in writing, fix a period for the performance of that duty; and, if it is not performed within the period so fixed, he may appoint some person to perform it, and may direct that the expense of performing it shall be paid, within such time as he may fix, by the committee to that person.

(*2*) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the municipal fund to pay the expense, or so much thereof as is, from time to time, possible, from that balance, in priority to all other charges against the same.

(*3*) The *District Magistrate* shall have the same powers with respect to committees of the second class as are by this section conferred upon the Commissioner with respect to committees of the first class.

Action of *District Magistrate* or Commissioner to be immediately reported.

179. When the *District Magistrate* makes any order under section *176*, section *177* or section *178*, he shall forthwith forward to the Local Government through the Commissioner, and, when the Commissioner makes any order under section *176* or section *178*, he shall forthwith forward to the Local Government, a copy thereof, with a statement of the reasons for making it, and with such explanation, if any, as the committee may wish to offer; and the Local Government may thereupon confirm, modify or rescind the order.

Powers of Local Government and its officers over committee.

180 (*1*) The Local Government, and the Commissioners and *District Magistrates* acting under *the orders of the Local Government*, *shall be bound* to require that the proceedings of committees shall be in conformity with law *and with the rules in force under any enactment for the time being applicable to the Punjab generally or to the areas over which the committees have authority.*

(*2*) The Local Government may exercise all powers necessary for *the performance of this duty*, and may, among other things, by order in writing, annul or modify any proceeding which it considers not to be in conformity with law *or with the rules in force under any enactment for the time being applicable to the Punjab generally or to the area affected by the proceeding, or with the declared policy of the Governor General in Council or of the Local Government.*

(*3*) The Commissioner of the division and the *District Magistrate* may, within their jurisdiction for the same purpose, exercise such powers as may be conferred upon them by rule made in this behalf by the Local Government.

Power of Local Government to supersede committee in case of incompetency, persistent default or abuse of powers.

181. (*1*) If a committee is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this or any other Act, or exceeds or abuses its powers, the Local Government may, with the previous approval of the Governor General in Council, by notific

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(Chapter IX.—Control.—Sections 182-183.)

Provided that, in case of public emergency, such notification may be issued without the previous approval of the Governor General in Council, but shall be forthwith reported to the Governor General in Council and shall be subject to his orders.

(2) When a committee is so superseded, the following consequences shall ensue:—

(a) all members of the committee shall, from the date of the notification, vacate their offices as such members:

(b) all powers and duties of the committee may, until the committee is reconstituted, be exercised and performed by such person as the Local Government appoints in that behalf:

(c) all property vested in the committee shall, until the committee is reconstituted, vest in Her Majesty.

(3) The Local Government shall, as soon as, in its judgment, conveniently may be, constitute another committee in the place of any committee superseded under this section.

Disputes.

182. (1) If any dispute, for the decision of which this Act does not otherwise provide, arises between two or more committees constituted under this Act, or between any such committee and a district board or cantonment authority, the matter shall be referred—

(a) to the *District Magistrate,* if the local authorities concerned are in the same district;

(b) to the Commissioner or Commissioners of the division or divisions, if the local authorities concerned are in different districts; and

(c) to the Local Government, if the local authorities concerned are in different divisions and the Commissioners of those divisions cannot agree.

(2) The decision of the authority to which any dispute is referred under this section shall be final.

(3) If, in the case mentioned in clause (a), the *District Magistrate* is a member of one of the committees or boards concerned, his functions under the section shall be discharged by the Commissioner.

Power of Local Government to frame forms and make rules.

183. (1) The Local Government may frame forms for any proceeding of a committee for which it considers that a form should be provided, and make rules consistent with this Act—

(a) with respect to the powers and duties of committees in municipalities of the first and of the second class, respectively;

(b) as to the division of the municipality into wards, or of the inhabitants into classes, or both;

(c) as to the number of representatives proper for each ward or class;

(d) as to the qualifications of electors and of candidates for election;

(e) as to the registration of electors;

(f) as to the nomination of candidates, the time of election and the mode of recording votes;

(g) generally for regulating all elections under this Act;

(h) fixing the term of office of members and presidents of committees;

(i) prescribing the qualifications requisite in the case of persons appointed by a committee to offices requiring professional skill;

(j) as to the priority to be given to the several duties of the committee;

(k) as to the authority on which money may be paid from the municipal fund;

(l) as to the appointment, promotion, suspension, reduction, fining and dismissal of municipal watchmen;

(m) *as to the formation and working of municipal fire-brigades;*

(n) *as to the procedure to be observed for the punishment or dismissal of servants of the committee;*

(o) as to the conditions on which property vested in the committee may be transferred by sale, mortgage, lease, exchange or otherwise;

(p) as to the intermediate office or offices, if any, through which correspondence between committees or members of committees and the Local Government or officers of that Government shall pass;

(q) as to the preparation of plans and estimates for works to be partly or wholly constructed at the expense of committees, and as to the person by whom, and the conditions subject to which, such plans and estimates *are to* be sanctioned;

(r) as to the accounts to be kept by committees, as to the conditions on which such accounts *are to* be open to inspection by inhabitants paying any tax under this Act, as to the manner in which such accounts *are to* be audited and published, and as to the power of the auditors in respect of disallowance and surcharge;

(s) as to the preparation of estimates of income and expenditure of committees, and as to the person by whom, and the conditions subject to which, such estimates may be sanctioned;

(t) as to the returns, statements and reports to be submitted by committees;

(u) as to the powers to be exercised by Commissioners and *District Magistrates* under section *180*;

(v) as to the language in which business shall be transacted, proceedings recorded and notices issued;

(w) as to the publication of notices; and,

(x) generally, for the guidance of committees and public officers in carrying out *the purposes* of this Act.

(2) *Rules under clause* (g) *of sub-section* (1) *may, among other matters, provide—*

(i) *for the investigation of allegations of corrupt practices or intimidation at elections;*

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(Chapter IX.—Control.—Section 184. Chapter X.—Supplemental.—Sections 185-190.)

(*ii*) *for making void the election of any person proved to the satisfaction of the Local Government or of the Commissioner, as the municipality may be of the first or of the second class, to have been guilty of corruption or intimidation or to have connived at or abetted the exercise of corruption or intimidation on his behalf by any other person;*

(*iii*) *for rendering incapable of municipal office either permanently or for a term of years any person whose election may have been made void as aforesaid for corruption or intimidation or for connivance at or abetment of the same; and*

(*iv*) *for the definition of the practices at municipal elections which are to be deemed to be corrupt or to amount to intimidation.*

General powers of Local Government and Commissioners.

184. In all matters connected with this Act the Local Government shall have and exercise over Commissioners and *District Magistrates,* and Commissioners shall have and exercise over *District Magistrates,* the same authority and control as they respectively have and exercise over them in the general and revenue administration.

CHAPTER X.

SUPPLEMENTAL.

Prosecutions.

Authority for prosecutions.

185. *A Court shall not take cognizance of an offence punishable under* this Act or *any* rule *thereunder* except *on the complaint of* the committee *or of some person authorised by the committee in this behalf.*

Explanation.—The committee may authorise persons to prosecute either generally in regard to all offences against this Act and the rules thereunder or particularly in regard only to specified offences or offences of a specified class. The person authorised may be authorised by office if he is president, vice-president or secretary of the committee. In other cases the authority must be personal. The authority must in all cases be in writing and may at any time be cancelled by the committee.

Power to compound offences.

186. (*1*) *In any municipality of the first class the Local Government may empower any member or officer of the committee, by name or by office, to accept from any person against whom a reasonable suspicion exists that he has committed an offence against this Act or any rule thereunder a sum of money by way of composition for such offence.*

(*2*) *On payment of such sum of money the suspected person if in custody shall be discharged, and no further proceedings under this Act or any rule thereunder or under any other law shall be taken against him in regard to the offence alleged and compounded;*

(*3*) *Sums paid in composition under this section shall be credited ...*

(*4*) *Power under sub-section (1) to accept composition for alleged offences may be given either generally in regard to all offences under this Act and the rules thereunder or particularly in regard only to specified offences or offences of a specified class.*

(*5*) *The Local Government may make rules to regulate the proceedings of persons empowered to accept composition under this section for alleged offences.*

Member not to be deemed interested in prosecution.

187. A Judge or Magistrate shall not be deemed *within the meaning of section 555 of the Code of Criminal Procedure, 1882,* to be a party to, or personally interested in, *a prosecution for an offence punishable under this Act or any rule thereunder, or under any other law,* merely because he is a member of the committee by the order, *or under the delegated authority,* of which it has been instituted.

Rules.

Procedure for making rules.

188. (*1*) The authority empowered to make rules under *any* section of *Chapter VI or under* section *183* shall, before making them, publish, in such manner as may, in its opinion, be sufficient for giving information to persons interested, a draft of the proposed rules with a notice specifying a date at or after which the draft will be taken into consideration; and shall, before making the rules, receive and consider any objection or any suggestion which may be made by any person with respect to the draft before the date so specified.

(*2*) If, on such consideration of the draft, any modification is made, the Local Government shall determine whether it is *desirable* to republish the draft under this section.

(*3*) Every rule made under any of the said sections shall be notified in English, and in such other language or languages as the Local Government may direct; and such notification shall be conclusive evidence that the rule has been made as is required by this section.

Rules to be available for purchase and inspection.

189. (*1*) A copy of all rules made under this Act shall be kept at the committee's office, and shall be open during office-hours without charge to the inspection of any inhabitant.

(*2*) Copies of all such rules shall be kept at the committee's office for sale to the public at a price *not exceeding one rupee.*

Notices.

Authentication, service and validity of notices.

190. (*1*) Every notice issued by a committee under this Act or under any rule thereunder shall be in writing, and shall be sufficiently authenticated by the signature of the president, *vice-president,* secretary *or assistant secretary,* and may be served on the person to whom it is addressed, or left at his usual place of abode or business with some adult male member or servant of his family, or, if it cannot be so served, may be posted on some conpsicuous part of his place of abode or business:

Provided with respect to the authentication ...

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(*Chapter X.—Supplemental.—Sections 191-198.*)

which the Commissioner may permit to be so authenticated.

(*2*) If the place of abode or business of the person to whom the notice is addressed is not within the limits of the municipality, the notice may be served by posting it in a registered cover addressed to his usual place of abode.

(*3*) If the place of abode or business of the owner of any property is not known, every such notice addressed to him as such owner may be served on the occupier.

(*4*) If the place of abode or business of the occupier of any property is not known, every such notice addressed to him as such occupier may be served by posting it on some conspicuous part of the property.

(*5*) No notice issued by the committee under this Act or under any rule thereunder shall be invalid for defect of form.

Mode of giving notice to owner or occupier of property.

191. When any notice is under the provisions of this Act to be given to or served on the owner or occupier of any property and he is unknown, it may be given or served—

(*a*) by delivering a written notice to some person on the property, or, if there is no person on the property to whom it can be delivered, by fixing it on some conspicuous part of the property; or

(*b*) by putting into the post a prepaid letter containing a written notice, and addressed by the description of the "owner" or "occupier" of the property (naming it) in respect of which the notice is given, without further name or description.

Publication of public notices.

192. Every public notice given by a committee under this Act or under any rule made thereunder shall be published by proclamation or in such other manner as the Local Government may, by rule, direct.

Alteration of Boundaries and Class of Municipality.

Notification of intention to alter limits of municipality.

193. The Local Government may, by notification published in the official Gazette, and in such other manner as it may determine, declare its intention—

(*a*) to exclude from a municipality any local area comprised therein and defined in the notification; or

(*b*) to include within a municipality any local area in the vicinity of the same and defined in the notification:

Provided that, where the local area is a military cantonment or part of a military cantonment, a notification shall not be published under this section in respect of it without the previous consent of the Governor General in Council.

Alteration of limits of municipality.

194. (*1*) Any inhabitant of a municipality or local area in respect of which a notification has been published under section *193* may, if he objects to the alteration proposed, submit his objection in writing through the *District Magistrate* to the Local Government within six weeks from the publication of the notification in the Gazette; and the Local Government shall take his objection into consideration.

(*2*) When six weeks from the publication of the notification have expired, and the Local Government has considered the objections (if any) which have been submitted under sub-section (*1*), the Local Government may, by notification, exclude the local area from the municipality or include it therein as the case may be.

Effect of exclusion of local area from municipality.

195. (*1*) When a local area is excluded from a municipality under section *194*,—

(*a*) this Act, and all rules, orders, directions and powers made, issued or conferred under this Act shall cease to apply thereto; and

(*b*) the Local Government shall, after consulting the committee, frame a scheme determining what portion of the balance of the municipal fund and other property vested in the committee shall vest in Her Majesty for the benefit of the local area, and in what manner the liabilities of the committee shall be apportioned between the committee and the Secretary of State for India in Council; and, on the scheme being notified, the property and liabilities shall vest and be apportioned accordingly.

(*2*) All property vested in Her Majesty under sub-section (*1*) shall be applied under the orders of the Local Government to discharging the liabilities imposed on the Secretary of State for India in Council under that sub-section, or for the promotion of the safety, health, welfare or convenience of the inhabitants of the local area.

Effect of including local area in municipality.

196. When a local area is included in a municipality under section *194*, this Act, and, except as the Local Government may otherwise by notification direct, all rules, orders, directions and powers made, issued or conferred under this Act and in force throughout the whole municipality at the time the local area is so included, shall apply to the local area.

Power to change class of municipality.

197. The Local Government may, after consulting the committee, direct, by notification, that any municipality be transferred from one class to another.

Powers to except and withdraw Municipalities from provisions of Act.

Power to except municipality from provisions of Act unsuited thereto.

198. (*1*) If the circumstances of any municipality are such that, in the opinion of the Local Government, any of the provisions of this Act are unsuited thereto, the Local Government may, by notification, except the municipality from the operation of those provisions; and thereupon those provisions shall not apply to the municipality until applied thereto by notification.

(*2*) While the exception remains in force, the Local Government may make rules for the

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guidance of the committee and public officers in respect of the matters excepted from the operation of the said provisions.

199. (*1*) The Local Government may, by notification, withdraw the local area comprised in any municipality constituted under this Act from the operation of the same.

Power to withdraw municipal area altogether from operation of this Act.

(*2*) When a notification is issued under this section in respect of any local area, *this* Act, and all rules, *regulations*, bye-laws, orders, directions and powers made, issued or conferred under *this* Act, shall cease to apply to the local area; the balance of the municipal fund, and all other property which at the time of the issue of the notification is vested in the municipal committee, shall vest in Her Majesty; and the liabilities of the committee shall be transferred to the Secretary of State for India in Council.

(*3*) All property vested in Her Majesty under sub-section (*2*) shall be applied under the orders of the Local Government to discharge the liabilities imposed on the Secretary of State for India in Council by that sub-section, or for the promotion of the safety, health, welfare or convenience of the inhabitants of the local area.

Miscellaneous.

200. Any arrears of any tax or fee or any other money claimable by a committee under this Act may be recovered, on application to a Magistrate having jurisdiction within the limits of the municipality, by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable.

Recovery of taxes, &c.

201. When any building used as a human dwelling is entered under this Act, due regard shall be paid to the social and religious sentiments of the occupiers; and, before any apartment in the actual occupancy of any woman, who according to custom does not appear in public, is entered under this Act, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

Precautions to be observed in entering dwellings.

202. (*1*) *In the absence of a written contract to the contrary a sweeper employed by a committee shall be entitled to fifteen days' notice before discharge or to fifteen days' wages in lieu thereof, unless he is discharged for misconduct or unless he was engaged for a specified term and discharged at the end of it.*

Obligation of municipal servants to discharge their duties.

(*2*) *If, without reasonable cause, a sweeper employed by a committee resigns or absents himself from his duties without giving fifteen days' notice to the committee, or if he neglects or refuses to perform his duties, he shall be liable to imprisonment which may extend to two months.*

(*3*) *The Local Government may, by notification, direct that, on and from a date to be specified in the notification, the provisions of sub-sections (1) and (2) with respect to sweepers shall apply also to any other class of servants*

203. (*1*) *On the complaint of three or more inhabitants of a municipality that a house in their immediate neighbourhood and within the limits of the municipality is used as a common brothel or lodging-house for prostitutes or disorderly persons of any description, to the annoyance of the respectable inhabitants of the vicinity, any Magistrate of the first class having, as such, jurisdiction in the place where the house is situated may summon the owner or tenant of the house to answer the complaint; and, on being satisfied that the house is so used, and is therefore a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it; and, if he shall fail to comply with such order within five days, may impose upon him a fine to the extent of twenty-five rupees for every day thereafter that the house shall be so used.*

Brothels.

(*2*) *This section shall take effect in a municipality only after it has been specially extended thereto by the Local Government at the request of the committee.*

204. (*1*) When a person, by reason of his receiving the rent of immoveable property as agent or trustee, or of his being as agent or trustee the person who would receive the rent if the property were let to a tenant, would, under this Act, be bound to discharge any obligation imposed by this Act on the owner of the property and for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own act or default might have had, in his hands funds belonging to the owner sufficient for the purpose.

Relief to agents and trustees.

(*2*) The burden of proving the facts entitling an agent or trustee to relief under this section shall lie on him.

205. If any question arises whether a person or persons of a specified class is or are an inhabitant or inhabitants of a local area within the meaning of this Act, the decision thereon of the *Commissioner of the division* shall be conclusive.

Decision of question as to whether persons are "inhabitants".

206. Nothing in this Act shall affect the Local Authorities Loans Act, 1879. XI of

Saving of Act XI of 1879.

Simla Land-tax.

WHEREAS there is at present levied on certain lands situate in the municipality of Simla a tax at the rate of ten rupees per two thousand five hundred square yards or fraction of two thousand five hundred square yards; It is hereby enacted as follows:—

207. The said tax shall be deemed to be a tax lawfully imposed and assessed under this Act and leviable in addition to any other tax leviable hereunder.

Simla land-tax continued.

Simla House and Frontage Taxes.

208. *The house and frontage taxes which have been levied in the municipality of Simla since the year 1885 shall, at the rates charged*

Simla house and frontage taxes.

CHAPTER XI.

SMALL TOWNS.

Constitution of notified areas.

209. (*1*) *The Local Government may, by notification, declare that, with respect to some or all of the matters upon which the municipal fund of a municipality may be expended under section 72, improved arrangements are required within a specified area, which, nevertheless, it is not expedient to constitute as a municipality.*

(*2*) *An area in regard to which a notification has been issued under sub-section* (*1*) *is hereinafter called a notified area.*

(*3*) *No area shall be made a notified area if it contains more than seven thousand inhabitants according to the returns of the most recent official census, or unless it contains a town and is not a purely agricultural village.*

Power of Local Government to impose taxation and regulate expenditure of proceeds thereof.

210. (*1*) *The Local Government may—*

(*a*) *impose in any notified area any tax which could be imposed there by a municipal committee if the notified area were a municipality ;*

(*b*) *apply or adapt to the notified area, for the assessment and recovery of any tax imposed under clause (a), any of the provision of this Act, or of any rules for the time being in force thereunder, with respect to the assessment and recovery of any tax imposed under this Act ;*

(*c*) *arrange fər the due expenditure of the proceeds of taxes imposed under clause (a), and for the preparation and maintenance of proper accounts ;*

(*d*) *appoint a committee of one or more persons for the purposes of clauses* (*b*) *and* (*c*) *;*

(*e*) *extend to any notified area the provisions of any section of this Act subject to such restrictions and modifications, if any, as the Local Government thinks fit.*

(*2*) *The proceeds of any tax levied in any notified area under this section shall be expended only as the municipal fund of such notified area might be expended if the notified area were a municipality.*

Application of Act to notified areas.

211. *In regard to any section of this Act which may be extended to a notified area the committee appointed for such area under clause (d) of section 210, sub-section (1), shall be deemed to be a municipal committee under this Act and the area to be a municipality.*

Discontinuance of notified areas.

212. *The Local Government may at any time cancel any notification under section 209.*

Application of funds of areas ceasing to be notified.

213. *If by reason of any order of cancellation under the last foregoing section any notified area ceases to be notified, the unexpended proceeds of any taxes levied therein under section 210 shall be applied for the benefit of the inhabitants of the area as the Local Government may think fit.*

SCHEDULE.

(*List of places referred to in section 42.*)

SIMLA.	*DALHOUSIE.*
DHARAMSALA.	*MURREE.*

STATEMENT OF OBJECTS AND REASONS.

THE Punjab Municipal Act, XIII of 1884, has been found by experience to be in some respects inconvenient and defective. The procedure required by it is sometimes excessively elaborate in regard to the smaller municipalities, while in some cases (more especially in the hill municipalities) the Act gives no powers with respect to certain matters of building, social convenience and sanitation which stand in need of proper regulation.

2. His Honour the Lieutenant-Governor of the Punjab considers therefore that the Act should be amended, and further that the amendments should, for the convenience as well of persons having to administer, as of persons interested in the administration of, municipalities in the Punjab, be incorporated in a Bill consolidating the proposed new law with the old.

The Governor General in Council concurs with His Honour ; and this Bill has been prepared accordingly, new or altered matter being printed in italics.

3. *Section 5.*—The condition imposed by section 5 of the Act of 1884, that a committee must not consist of less than six members, is unnecessary, and has proved inconvenient in small places like Kalka. Even in large places small committees may occasionally be necessary.

4. *Sections 7, 8 and 9.*—The main object of these sections is to secure the prompt introduction of changes from appointment to election and *vice versâ* when such changes seem to the Local Government to be desirable.

5. *Section 16.*—The sub-sections added to this section are intended to avoid needless trouble. At present an *ex officio* president or vice-president has to be elected or appointed again and again as often as the incumbent of the office changes.

6. *Sections 19, 20 and 50.*—The main object of the alterations in these sections is to decentralize some of the minor apparatus of municipal administration so as to prevent unnecessary references to the Local Government.

7. *Sections 43 and 111-119.*—Section 43 taken with sections 111 to 119 (both inclusive) are intended to regulate the municipal scavenging of private dwellings, and replace sections 40 and 101 of the present Act. The law as it now stands has been found to be unworkable. It involves repeated negotiations with a succession of individual occupiers, and any arrangements made by the committee can at any time be disorganized by private dissent. Moreover, the phrase "duties usually performed by sweepers" is of very vague and uncertain import. It might very well be held to include duties of a domestic and private nature which the municipal committee could not possibly undertake. And, if this were held to be the case, the present law on that ground alone would become ineffectual. The new proposals limit municipal scavenging to what is practically possible and provide for the committee undertaking it without being compelled to procure individual assents, though not without being compelled to consider possible individual grievances. Attempts are also made to provide adequate safeguards for agriculturists wishing to secure their own manure, and for the caste or customary rights by which guilds of sweepers in some towns claim the exclusive right of scavenging the houses of particular quarters. These rights are very inconvenient obstacles in the way of proper sanitation, but the new proposals will nevertheless protect them so long as the correlative duties are adequately discharged.

8. *Section 45.*—Sub-section (*8*) of this section is intended to make section 42 of the present Act more generally convenient. It has been held that the year mentioned in that section must begin on the 1st of January. The amendment of section 58 is a corollary of section 45, sub-section (*8*).

9. *Sections 52 and 53.*—The additions to these sections are intended to remedy grievances which have been complained of by taxpayers in Simla. Similarly, section 61 (with which should be read sub-section (*2*) of section 50) is intended to remedy ascertained defects in the procedure as to remissions in whole or in part of assessed taxation.

10. *Sections 69 and 70.*—The sections supply what is believed to be an omission in the present Act as to punishment for octroi frauds. It also compels inhabitants of a municipality to furnish necessary information as to taxable liability. The want of this power in the present Act has been seriously complained of in Delhi.

11. *Section 72.*—The addition to clause (*k*) of sub-section (*2*) is intended to provide for expenditure out of the municipal fund on such objects as an Imperial census or the celebration of a Jubilee or other like object.

12. *Section 73.*—This section provides for the payment of a municipal president. A paid president is to be appointed for Simla.

13. *Section 76.*—Clause (*d*), as amended, will give to the committee the property in refuse deposited in municipal receptacles. Any other arrangement is manifestly impossible, but the want of an express legal provision recently led to the abandonment of a reformed system of conservancy in one of the towns of the Province.

14. *Section 92.*—This section re-enacts section 88 of the present Act with some important changes. In the first place, no compensation is to be given for prohibiting the erection of new buildings. At present compensation is payable, and the power to prohibit is therefore nugatory. At the same time, however, section 151 of the Bill gives an appeal against prohibition of erection. In the second place, the law as it at present stands compels the committee to take action within one month of receipt of notice of intention to build. But it prescribes no time for the submission to the committee of the plan of the buildings and prescribes no conditions which the plan must fulfil. It is therefore comparatively easy to evade the committee's jurisdiction under this section. The new proposals practically require the notice to be accompanied by the plan and allow the committee, with the sanction of the Local Government, to prescribe what the plan shall contain.

15. *Sections 93, 104 and 105.*—These are new proposals intended principally to provide safeguards in the bazars of hill municipalities which are peculiarly exposed to risks from fire. Section 105, however, will be of general application.

16. *Section 100.*—This section is intended to provide for the proper disposal of dead animals.

17. *Section 120.*—This section is the corollary of and sanction for section 105.

18. *Section 137.*—This section was framed in consequence of representations from Simla. It is a new proposal, and is principally intended to give power to regulate the trade

in food so far as may be necessary in any case to secure its cleanly preparation, and to exclude from certain thoroughfares offensive shops, such as those of butchers or spirit-sellers. The section is mainly, though not exclusively, intended for use in hill municipalities.

19. *Sections 138-143.*—These are new proposals to diminish danger from mad dogs and from infectious diseases. They are adapted from the City of Bombay Municipal Act, 1888.

20. *Section 145.*—This section is new, and in some respects follows the principle of the Darjeeling Act, V of 1883 (B. C.), for the regulation of hired coolies and vehicles in a hill municipality.

21. *Sections 146, 147, 151 and 170.*—Sections 146 and 147 are required in consequence of the extended power of rule-making given to committees by the Bill. Similarly, as the Bill gives larger powers to committees, a somewhat larger power of appeal against their decisions is given by sections 151 and 170.

22. *Sections 171-174.*—These sections provide for the establishment and working of fire-brigades.

23. *Section 183.*—A sub-section has been added giving to the Local Government in more express terms a power to deal generally with corrupt practices or intimidation at municipal elections.

24. *Sections 185 and 186.*—Section 185 is intended to enable the committee to institute prosecutions by an easier process than that of the present law, which in many cases is practically unworkable. Similarly, section 186 is intended to make ordinary sanitary police more effective.

25. *Section 202.*—This section is an adaptation of the provisions of laws passed by the Bombay and Bengal Councils for the prevention of a sweeper strike.

26. Lastly, sections 209 to 213 (both inclusive) are intended to provide for such sanitary and other measures as may be possible in small towns which are not fit to be treated as municipalities, but in which improved arrangements are often extremely desirable. Kalka is an excellent instance of one such place.

The 6th August, 1891. PHIL. P. HUTCHINS.

S. HARVEY JAMES,
Secretary to the Government of India.